

**REGISTER NUMBER: 568**

**NOTIFICATION FOR PRIOR CHECKING**

Date of submission: 15/02/2010

Case number: 2009-721

Institution: FRONTEX

Legal basis: article 27 of the regulation CE 45/2001<sup>(1)</sup>

*(1) OJ L 8, 12.01.2001*

**INFORMATION TO BE GIVEN<sup>(2)</sup>**

*(2) Please attach all necessary backup documents*

1/ Name and adress of the controller

**Tomasz Cybulski, Head of Human Resources Sector**

2/ Organisational parts of the institution or body entrusted with the processing of personal data

**Human Resources Sector / Administrative Services Unit / Administration Division**

3/ Name of the processing

**Processing of health data in the workplace**

4/ Purpose or purposes of the processing

**To certify medical aptitude to work; to register sick leaves; to issue decisions on special leaves related to health reasons**

5/ Description of the category or categories of data subjects

**Temporay agents, contract agents, seconded national experts, candidates selected to whom job offer has been sent and approved.**

6/ Description of the data or categories of data (including, if applicable, special categories of data (article 10) and/or origin of data)

**Medical certificates from the pre-recruitment examination; Sick leave certificates; Requests for special leave related to health reasons and related documents.**

<p>7/ Information to be given to data subjects  <b>Information about the pre-recruitment examination; Decision on granting special leave related to health reasons</b></p>
<p>8/ Procedures to grant rights of data subjects <i>rights of access, to rectify, to block, to erase, to object</i>  <b>Certificate of aptitude is included in the personal file and each data subject has a right to access to her/his own file. Sick leave certificates are kept in leave files of staff members. Decision on granting special leave related to health reasons and necessary related documents are kept in the leave files of relevant staff member..</b></p>
<p>9/ Automated / Manual processing operation  <b>Manual processing</b></p>
<p>10/ Storage media of data  <b>Paper documents (originals)</b></p>
<p>11/ Legal basis and lawfulness of the processing operation</p> <p><b>The legal basis for such processing can be found notably in the Articles 28(e), 33, 59 of Staff Regulations, in Annex V - section 2 to Staff Regulations, and in Articles 12(2)(d), 13, 82(3)(d), and 83 of CEOS. Commission Decision introducing implementing provision on absences as result of sickness or accident (C(2004) 1597) and Commission Decision introducing implementing provisions on leave, which are applied by analogy by Frontex, should also be considered</b></p>
<p>12/ The recipients or categories of recipient to whom the data might be disclosed  <b>Data subject and Human resources sector (solely certain members of this unit). Subsidiarily, the immediate superior of data subject may have access to certain data.</b></p>
<p>13/ retention policy of (categories of) personal data  <b>Sick leave certificates and decisions on granting special leave + supporting documents - 3 years. Pre-recruitment medical certificates - 5 years.</b></p>
<p>13 a/ time limits for blocking and erasure of the different categories of data  (on justified legitimate request from the data subject)  <i>(Please, specify the time limits for every category, if applicable)</i></p>
<p>14/ Historical, statistical or scientific purposes  <i>If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification,</i></p>

15/ Proposed transfers of data to third countries or international organizations

**No transfer of health data to any third party is foreseen**

16/ The processing operation presents specific risk which justifies prior checking (*please describe*):

**AS FORESEEN IN:**

**Article 27.2.(a)**

**Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,**

17/ Comments

PLACE AND DATE:

DATA PROTECTION OFFICER:

INSTITUTION OR BODY: