

**REGISTER NUMBER: 586**

**NOTIFICATION FOR PRIOR CHECKING**

Date of submission: 16/04/2010

Case number: 2010-290

Institution: European Commission

Legal basis: article 27-5 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 address of the controller

2) Name and First Name of the Controller: CASTELLANI Luisa

3) Title: Head of Department

4) Directorate, Unit or Service to which the Controller is attached: A.I

5) Directorate General to which the Controller is attached: SCIC

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

26) External Company or Directorate General to which the Processor is attached:

25) External Company or Directorate, Unit or Service to which the Processor is attached:

SCIC.B.01

3/ Name of the processing

Continuous Quality Monitoring and Assessment of AICs (Agents Interprètes de Conférence) in DG

Interpretation

4/ Purpose or purposes of the processing

Intermittent monitoring of the quality of service provided by AICs. Staff members may also use the system to submit a report relating to a specific incident or to draw attention to particularly outstanding performance. The HoIU is responsible for monitoring the quality of staff and AICs and dealing with any incidents which may arise. In the case of the freelancers, in addition to the ongoing quality assurance monitoring, the system is intended to provide an early warning of problems and also identify consistently weak or consistently excellent performance in various categories shown on the form.

5/ Description of the category or categories of data subjects

14) Data Subject(s) concerned:

AICs accredited to DG Interpretation and recruited on a daily contract basis to work in meetings serviced by it.

16) Category(ies) of Data Subjects:

AICs accredited to DG Interpretation and recruited on a daily contract basis to work in meetings serviced by it.  
Staff members who submit reports (reporting officers)

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

17) Data field(s) of Data Subjects:

Attention: Please indicate and describe in the answer to this question also data fields which fall under article 10

The description of the data fields is in the attached document.

18) Category(ies) of data fields of Data Subjects:

Attention: Please indicate and describe in the answer to this question also categories of data fields which fall under article 10

Reporting Officer's Overall impression  
Quality of the Interpretation  
Incidents  
Conduct  
Comments from subject of the Report

7/ Information to be given to data subjects

15a) Which kind of communication(s) have you foreseen to inform the Data Subjects as described in articles 11 - 12 under 'Information to be given to the Data Subject'

The AIC staff management section of the SCICNet AIC website includes information on the DG's policy and procedures with regard to quality monitoring and assessment, as well as an explanation of the functioning of the system.

For the AICs, the notes are available on-line in SCICNet under the heading AIC, Quality Monitoring and are attached to this Question: Continuous Quality Monitoring and Assessment of AIC's in DG Interpretation & Annexe (Ref: ARES (2010) 110547); AIC Employability Coefficient - Information Note (Ref: ARES (2010) 110646); Professional Competency Rating (Ref: ARES (2010) 110760); Joint Quality Group (Ref: ARES(2010) 112540 & Ref: ARES (2010) 112569) and the SERIF guide

8/ Procedures to grant rights of data subjects (rights of access, to rectify, to block, to erase, to object)(rights of access, to rectify, to block, to erase, to object)

15b) Which procedure(s) did you put in place to enable Data Subjects to exert their rights: access, verify, correct, etc., their Personal Data as described in articles 13 - 19 under 'Rights of the Data Subject' :

AICs may consult their reports online at any time and are notified by an automatic email whenever a new report is filed. They are also entitled to place their comments on record within 10 days of receipt of this notification. These comments form an integral part of the report.

Reporting officers may, in exceptional circumstances and for duly motivated reasons, apply to their HoU to have a report re-opened for modification or deleted.

AICs also have the right to appeal against the Professional Competency Factor (PCF) which was determined by the HoU by putting their case and grounds for appeal in writing to the Head of Department.

Should a case be referred to the Joint Quality Group, the AIC will have the right to present their case to the Group Members.

#### 9/ Automated / Manual processing operation

##### 7) Description of Processing:

Attention: Please describe in the answer to this question if you process personal data falling under article 27 "Prior-Checking (by the EDPS - European Data Protection Supervisor)"

The professional and ethical standards for AICs when assigned to meetings are identical to those required of staff interpreters. These standards are subject to regular monitoring according to criteria relating to quality of interpreting and conduct (?professional ethics?). See attachment: (ARES (2010)110547)

Reports on professional competence are submitted by staff interpreters via an on-line reporting system - SERIF. A report may be filed whenever an AIC works with a staff interpreter: positive reports are encouraged as well as ones highlighting possible weakness. AICs have immediate access to their reports and are notified by an automatic email whenever a new report is submitted. An AIC has 10 days from the date of submission to add their comments to a report. These comments become an integral part of the report.

The reports are one of the elements taken into account when determining an AIC's professional competency factor (PCF). The PCF is one of the three components of the Employability Coefficient system which allows SCIC to combine in a balanced manner the cost factor (itself determined by the AIC's professional domicile), the language combination and the PCF (quality) when deciding which AICs to recruit.

AICs who fail to meet the above-mentioned standards will be subject to SCIC's quality assurance follow-up procedures.

The initial follow-up will be in the form of a professional dialogue with the Head of Interpreting Unit (HoIU) in which performance or conduct will be discussed. The HoIU may then choose to monitor the AIC's progress to ensure that the particular issue has been solved. If the quality problem persists or in the event of a serious incident relating either to interpreting quality or conduct, the HoIU will refer the case to his/her hierarchy in view of a possible referral to the Joint Quality Group.

The data fall within the definition given in Article 27 paragraph 2b and are therefore subject to prior checking.

8) Automated Processing operation(s):

Generation of general and individual statistics and summaries/compilations of data by or on behalf of the Heads of Unit (HoUs) or Heads of Department (HoDs) of Directorate A, who are responsible for monitoring and maintaining the quality of interpretation.

9) Manual Processing operation(s):

Input of data in the system SERIF by reporting officers (staff interpreters or HoUs) or by the secretaries of the 5 departments of Directorate A, authorised to do so by the Controller.

Input of the PCF in SIGNALETIQUE.

Consultation of reports by authorised personnel (Director, HoUs and HoDs) of Directorate A and unit quality co-ordinators. Printing of completed reports for consultation by the subject on request. Printing of individual or aggregated data for consultation by authorised personnel

10/ Storage media of data

Hard disks of database servers running in the operational IT environment of DG SCIC

11/ Legal basis and lawfulness of the processing operation

11) Legal basis of Processing:

Regulation 1 of 1958 determining the official languages of the EEC, plus subsequent amendments.  
Conditions of Employment of Other Servants (CEOS), Articles 84.4 and 87 by analogy  
The Communication by Vice President Kinnock on the reorganisation of SCIC (SCIC/CS D(2003)61, which was approved by the Commission on 8 October 2003, refers on page 6 to "management of interpreting staff, with particular emphasis on quality control (see attachment).  
According to its mission statement, DG Interpretation (SCIC)'s role is to make possible multi-lingual communication, which is at the core of Community decision making:  
" By providing quality interpretation in meetings arranged by the Commission and the other Institutions served by DG Interpretation;

12) Lawfulness of Processing:

Answering this question please also verify and indicate if your processing has to comply with articles 20 "Exemptions and restrictions" and 27 "Prior checking (by the EDPS)"

Processing is lawful pursuant to Article 5 paragraph c).

Article 20 is not relevant.

Given the nature of the data, Article 27 paragraph 2b is relevant and hence, prior checking by the EDPS is required

12/ The recipients or categories of recipient to whom the data might be disclosed

20) Recipient(s) of the Processing:

Heads of Department (HoDs), HoIUs and unit quality co-ordinators, where appointed by the HoIU, have direct on-line access to all reports relating to the AIC whose quality is their responsibility.

Members of the Joint Quality Group and senior management have no direct access to the system but may if necessary be given the data in hard copy.

The Directorate B Units responsible for evaluation and strategic planning may be given aggregate report data in order to monitor compliance with internal control standards

Directorate C's Unit C2 (Programming of Interpretation) has access to employability coefficient data for the purposes of recruitment and determining the assignment of interpreters to meetings.

21) Category(ies) of recipients:

Senior management

Heads of departments and units, Directorate A

Unit quality co-ordinators

Members of the planning and programming units

Members of the Joint Quality Group (indirectly)

13/ retention policy of (categories of) personal data

Data are retained for a rolling period of 10 years in SERIF

In the event of referral to the Joint Quality Group (JQG), working dossiers are given to group members within the context of a specific case must be returned to the chair of the JQG at the end of the procedure. The chair of the JQG will acknowledge receipt of these dossiers and will have them destroyed. A single master copy of the case dossier will be retained for a period of two years in a secure location under the responsibility of the chair of the JQG.

13 a/ time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject) (Please, specify the time limits for every category, if applicable)

(on justified legitimate request from the data subject)

(Please, specify the time limits for every category, if applicable)

22 b) Time limit to block/erase data on justified legitimate request from the data subjects

A report is stored in XML-format in one record. This record can be blocked or deleted immediately following an instruction from the relevant head of unit or the controller

14/ Historical, statistical or scientific purposes

*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,*

22 c) Historical, statistical or scientific purposes - 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

N/A

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

27) Legal foundation of transfer:

Only transfers to third party countries not subject to Directive 95/46/EC (Article 9) should be considered for this question. Please treat transfers to other community institutions and bodies and to member states under question 20.

Not applicable

28) Category(ies) of Personal Data or Personal Data to be transferred:

Not applicable

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

7) Description of Processing:

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The professional and ethical standards for AICs when assigned to meetings are identical to those required of staff interpreters. These standards are subject to regular monitoring according to criteria relating to quality of interpreting and conduct (?professional ethics?). See attachment: (ARES (2010)110547)

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The initial follow-up will be in the form of a professional dialogue with the Head of Interpreting Unit (HoIU) in which performance or conduct will be discussed. The HoIU may then choose to monitor the AIC's progress to ensure the particular issue has been solved. If the quality problem persists or in the event of a serious incident relating either to interpreting quality or conduct, the HoIU will refer the case to his/her hierarchy in view of a possible referral to the Joint Quality Group.

The data fall within the definition given in Article 27 paragraph 2b and are therefore subject to prior checking.

12) Lawfulness of Processing:

Answering this question please also verify and indicate if your processing has to comply with articles 20 "Exemptions and restrictions" and 27 "Prior checking (by the EDPS)"

Processing is lawful pursuant to Article 5 paragraph c).

Article 20 is not relevant.

Given the nature of the data, Article 27 paragraph 2b is relevant and hence, prior checking by the EDPS is required

Article 27.2.(a) Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

n/a

Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject,

Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject,

Article 27.2.(c) Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,

n/a

Article 27.2.(d) Processing operations for the purpose of excluding individuals from a right, benefit or contract,

n/a

Other (general concept in Article 27.1)

n/a

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17/ Comments

1) Date of submission:

10) Comments if applicable:

Freelance interpreters working for the Institutions on a daily contract basis are referred to in this report as AICs (Agents Interprètes de Conférence). The terms are equivalent in this context.

Although the direct responsibility for quality monitoring lies with the HoU, the Head of Department (HoD) may request reports or statistical output at any time for supervision purposes.

Regular review of report contents by HoUs. Statistics would normally be generated monthly to meet reporting obligations regarding the scope of the quality monitoring (e.g. number of AICs reported on) and annually for staff career development review purposes (did the senior staff interpreter comply with the job description by helping to maintain quality by submitting reports?).

The departmental secretaries' role is to input relevant comments received occasionally from recognised reporting officers in the form of e-mails or in writing. They do so under the authority of the HoU.

36) Do you publish / distribute / give access to one or more printed and/or electronic directories?

Personal Data contained in printed and/or electronic directories of users and access to such directories shall be limited to what is strictly necessary for the specific purposes of the directory.

If Yes, please explain what is applicable.

no

37) Complementary information to the different questions if applicable, including attachments to this notification which should not be public :

PLACE AND DATE:16/04/2010

DATA PROTECTION OFFICER: RENAUDIÈRE Philippe

INSTITUTION OR BODY:European Commission