

(To be filled out in the EDPS' office)
REGISTER NUMBER: 957

(To be filled out in the EDPS' office)

NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 31/01/2013

CASE NUMBER: 2013-0234

INSTITUTION: ETF

LEGAL BASIS: ARTICLE 27-5 OF THE REGULATION CE N° 45/2001⁽¹⁾

INFORMATION TO BE GIVEN²

1/ NAME AND ADDRESS OF THE CONTROLLER

Ms. Madlen Serban, Director of the European Training Foundation (ETF)
Villa Gualino, V.le Settimio Severo 65, I-10133 Torino, Italy

2/ ORGANISATIONAL PARTS OF THE INSTITUTION OR BODY ENTRUSTED WITH THE PROCESSING OF PERSONAL DATA

Administration – Human Resources Unit

3/ NAME OF THE PROCESSING

Leave and absence management

4/ PURPOSE OR PURPOSES OF THE PROCESSING

The purpose of the processing is to fix yearly annual leave rights, and to ensure that Staff Regulations, rules and Director's decisions regarding leave and absence management are correctly implemented and that the staff rights are respected.

¹ OJ L 8, 12.01.2001.

² **Please attach all necessary backup documents**

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

All ETF staff members, Seconded National Experts as well as trainees (in the case of trainees, only absences for sickness and annual leave are concerned, not for special leave).

6/ DESCRIPTION OF THE DATA OR CATEGORIES OF DATA (*including, if applicable, special categories of data (Article 10) and/or origin of data*).

Staff surname, first name, age, place of origin, grade, contractual dates of employment (for calculating yearly annual leave rights), reason for absence (special leave, sickness, annual leave).

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

Data subjects are informed about the purpose of the processing.

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS
(Rights of access, to rectify, to block, to erase, to object)

Rights of **access**: The right is granted by means of a written request (including emails) addressed by Data Subject to Data Controller.

Right of **rectification**: The right is granted by means of a written request (including emails) addressed by Data Subject to Data Controller.

Right of **blocking**: The right is granted by means of a written request (including emails) addressed by Data Subject to Data Controller.

Right to **erasure**: The right is granted by means of a written request (including emails) addressed by Data Subject to Data Controller.

Right to **object**: The right is granted by means of a written request (including emails) addressed by Data Subject to Data Controller.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

Electronic processing for the automatic workflow for information/validation of hierarchical superior (introduction in the current system of absences or leave by HR or staff).

Manual processing for the transmission of supporting documents by the staff member to HR.

10/ STORAGE MEDIA OF DATA

The data on staff absences (without any specific information on health details) and leave are kept in the current electronic system.

The paper supporting documents are kept in a closed cupboard inside HR offices or in the ETF Medical Advisor's closed cupboard in his/her locked office (health detailed certificates).

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

As regards the management of special leave, absences for sickness and annual leave: Staff Regulations, CEOS and implementing rules, Conditions of employment of Local Agents, Rules on Seconded National Experts, Rules governing the internship scheme of the ETF.

As regards special leave: ref. ETF/09/DEC/005 (Working arrangements), ref. GB/11/DEC/006 (Implementing provisions on special leave).

As regards absences for sickness: ref. GB/06/DEC.002 (Implementing provisions on absences as result of sickness or accident (C2004-1597)).

12/ THE RECIPIENTS OR CATEGORIES OF RECIPIENT TO WHOM THE DATA MIGHT BE DISCLOSED

HR staff members, Director, Deputy Director and relevant Reporting Officers of data subjects.

External service provider for Local Agents and ETF Medical Advisor.

If appropriate, access will also be provided to ECA, IAS and EDPS.

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

For special leave and absences for sickness: 3 years for paper documents.

For special leave, absences for sickness and annual leave: 3 years for electronic data, with the following exception:

For absences for sickness: more than 3 years only in case of dispute or appeal under way, medical cases in which the medical consequences of prolonged exposure to certain substances occurs after a long period, or invalidity procedure potentially launched.

13 A/ TIME LIMIT TO BLOCK/ERASE ON JUSTIFIED LEGITIMATE REQUEST FROM THE DATA SUBJECTS

One month from the receipt of a request.

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

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.

No.

15/ PROPOSED TRANSFERS OF DATA TO THIRD COUNTRIES OR INTERNATIONAL ORGANISATIONS

No.

16/ THE PROCESSING OPERATION PRESENTS SPECIFIC RISK WHICH JUSTIFIES PRIOR CHECKING (*Please describe*):

AS FORESEEN IN:

1 Article 27.2.(a)

Processing of data related to health

EDPS Guidelines concerning the processing of health data in the workplace by EU institutions and bodies[1]:

"Health data generally refers to personal data that have link with the health status of a person This would normally include medical data (e.g. doctor referrals and prescriptions, medical examination reports, laboratory tests, radiographs), as well as administrative and financial data relating to health (e.g. medical appointments scheduling, invoices for healthcare service provision, indication of the number of days of sick leave, sick leave management)".

17/ COMMENTS

PLACE AND DATE: TURIN,

DATA PROTECTION OFFICER: MR. LAURENS RIJKEN (DEPUTY DPO)

INSTITUTION OR BODY: THE EUROPEAN TRAINING FOUNDATION