

(To be filled out in the EDPS' office)

REGISTER NUMBER: 1249

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NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 05/06/2014

CASE NUMBER: 2014-0605

INSTITUTION: EUSC

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

INFORMATION TO BE GIVEN²

1/ NAME AND ADDRESS OF THE CONTROLLER

EU SATCEN (BASE AÉREA DE TORREJÓN ARDOZ, AVENIDA DE CÁDIZ S/N, EDIFICIO 457, 28850, TORREJÓN DE ARDOZ, MADRID, SPAIN) (DIRECTOR - MR. TOMAŽ LOVREN I)

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

Administration Division (Head of Administration)

3/ NAME OF THE PROCESSING

Management of all entitlements for sick leave, special leave, part-time and unpaid leave.

4/ PURPOSE OR PURPOSES OF THE PROCESSING

To enable the EU SatCen to manage the leave of its staff members due to sick leave, special leave, part-time and unpaid leave on the basis of medical certificates or not.

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

Staff members employed in the EU SatCen: Permanent, Temporary, SNEs, Local Staff and Trainees.

¹ OJ L 8, 12.01.2001.

² **Please attach all necessary backup documents**

6/ DESCRIPTION OF THE DATA OR CATEGORIES OF DATA

(including, if applicable, special categories of data (Article 10) and/or origin of data)

Sick leave: staff members are required to produce a medical certificate within three days of ceasing work.

Special Leave: (marriage of a child, death of an immediate kin, serious illness, maternity leave, marriage leave, paternity leave, parental leave, home leave, etc.): staff members should submit a request via the EU SatCen Absence Management System by clicking at the appropriate box and indicating their substitute during their absence as well as the appropriate manager that will validate their request. Once the request is approved staff members should provide a medical justification to one of the two case officers in charge of leaves.

The same procedure applies for unpaid leave and part-time leave due to medical or not reasons (request and certificate / justification must be provided).

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

A Privacy policy is published on intranet under Administration.

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

(Rights of access, to rectify, to block, to erase, to object)

Data subjects may have the right of access at any time without constraints to the EU SatCen Absence Management System.

If they want to rectify their data they send an email to one of the two case officers in charge of leaves.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

Automated request for leave via the EU SatCen Absence Management System and manual (supporting documents and justifications).

10/ STORAGE MEDIA OF DATA

Electronic requests are submitted by each staff member and stored in the application (mandatory data: name, surname, name of substitute and duration (from- to)), and optional: comments.

In case of sick leave and special leave original certificates are stored in a paper file in a physical folder kept by two case officers from the Administration Division.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

Sick Leave: Annex VIII, Sick Leave, Maternity and Paternity, Parental Leave and other Special Leave of the **Staff Regulations** of the EU SatCen (see attached) published on 25 August 2009 (OJ 11765/09).

Leave: Chapter V, Internal Organisation, Art.22-23 of the **Staff Regulations** of the EU SatCen (see attached) published on 25 August 2009 (OJ) 11765/09.

Implementation rules part time, Art.20 of the **Staff Regulations** of the EU SatCen (see attached) published on 25 August 2009 (OJ) 11765/09.

Implementing Rules on Leave and Flexitime.

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

In rare problematic cases where justifications provided by the staff member are insufficient the Director or Deputy Director may intervene.

Possibly Appeals Board (Article 28 of the EU SatCen Staff Regulations).

The SatCen College of external Auditors (in accordance with Art 20.5 of the SatCen Financial Rules) shall be appointed by the SatCen Board (composed by all EU Member States) and will be responsible for the external financial audit of the expenditure and revenue administered by the Centre at the end of each financial year (Art. 20.1 of the SatCen Financial Rules).

The SatCen College of external Auditors may audit projects funding by the European Commission carried out in the EU SatCen otherwise, the European Commission may audit its projects via external contractor.

Possibly Ombudsman.

Possibly National Jurisdictions.

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

All original certificates are kept for a maximum of two years, unless the data subject has had recurrent sick leaves that may warrant future interventions by the Administration (firing, invalidity board, disciplinary, etc.).

The EU SatCen keeps the administrative data (name, surname and duration) of its staff members for five years after the annual audit has been completed in light of the EU SatCen Financial Regulation. The data submitted to audit are the following data: name initials and number of hours of work.

Exceptionally, in the case of the staff members in charge of EU projects financed by the European Commission their administrative data (name, surname and duration) are kept throughout the duration of the project the staff member is involved in. An audit takes place after each project has been completed. Their data are kept for five years after the end of the audit in accordance with the EU Financial Regulations (see copy of timesheet submitted to audit).

13 A/ TIME LIMIT TO BLOCK/ERASE ON JUSTIFIED LEGITIMATE REQUEST FROM THE DATA SUBJECTS (Please, specify the time limits for every category, if applicable)

Within a month of delay after receipt of the request

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>
NO

15/ PROPOSED TRANSFERS OF DATA TO THIRD COUNTRIES OR INTERNATIONAL ORGANISATIONS
NO

16/ THE PROCESSING OPERATION PRESENTS SPECIFIC RISK WHICH JUSTIFIES PRIOR CHECKING <i>(Please describe)</i>
AS FORESEEN IN: <input checked="" type="checkbox"/> Article 27.2.(a) <i>(Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,)</i> <input type="checkbox"/> Article 27.2.(b) <i>(Processing operations intended to evaluate personal aspects relating to the data subject,)</i> <input type="checkbox"/> Article 27.2.(c) <i>(Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,)</i> <input type="checkbox"/> Article 27.2.(d) <i>(Processing operations for the purpose of excluding individuals from a right, benefit or contract)</i> <input type="checkbox"/> Other (general concept in Article 27.1)

17/ COMMENTS
N/A

PLACE AND DATE: TORREJON DE ARDOZ

DATA PROTECTION OFFICER: JEAN- BAPTISTE TAUPIN

INSTITUTION OR BODY: EUROPEAN UNION SATELLITE CENTRE