

*(To be filled out in the EDPS' office)*

**NOTIFICATION FOR PRIOR CHECKING**

**DATE OF SUBMISSION: 24/11/2014**

**CASE NUMBER: 2014-1095**

**INSTITUTION: EUSC**

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

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

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

Allowance for Disabled dependants.

4/ PURPOSE OR PURPOSES OF THE PROCESSING

If it is established by medical evidence that a staff member dependant suffers from a serious and permanent disability necessitating either special care or supervision or special education or training, the Director may decide after consulting an ad hoc board to grant allowance to the staff member.

Dependant persons may thus be deemed to be disabled where they suffer from:

- (a) serious or chronic affection of the central or autonomic nervous system, however caused, such as diseases of the brain, myopathy and autonomic paralysis;
- (b) serious affection of the locomotor system;

<sup>1</sup> OJ L 8, 12.01.2001.

<sup>2</sup> **Please attach all necessary backup documents**

- (c) serious affection of one or more sensory systems;
- (d) chronic and disabling mental illness.

The criterion for entitlement to the provisions of the EU SatCen Staff Regulations shall be the serious and continuing impairment of the physical or mental activities.

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

1. Children of the staff member,
2. Other dependants: a person other than a dependant may be considered a staff member's dependant on the following conditions:
  - (i) he is a parent or other close relative by blood or marriage;
  - (ii) he lives continuously with the staff member or his spouse or registered partner, or is regularly admitted to an institution giving specialist medical care;
  - (iii) the person concerned does not have adequate resources of his own to support himself.

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

The staff members send a memorandum to the Head of Administration requesting allowance for their child and/or other dependant. The Director decides to constitute an ad hoc board for the specific purpose. Staff members then submit all relevant medical justifications to the ad hoc board. The latter makes a proposal to the Director who then takes the final decision. The Director's decision shall specify the period for which the allowance is to be paid, subject to review.

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

A Privacy policy is available on the EU SatCen ATLAS intranet

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, and likewise the right to rectify their administrative data in their personal files. They may also add any second opinions of other doctors to their files which may justify their request for allowance.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

Automated and manual: staff members' memorandum and medical justifications, the ad hoc board's notes and proposal to the Director and the Director's decision are in paper and electronic form.

10/	STORAGE MEDIA OF DATA
<p>Paper copies of the above data are stored in a locked archive and electronic copies stored in personal files folder / allowances found in the Agency's server.</p>	
11/	LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION
<p>Article 11 and Annex IV of the Staff Regulation of the EU SatCen published on 25 August 2009 (OJ) 11765/09 (see attached).</p>	
12/	THE RECIPIENTS OR CATEGORIES OF RECIPIENT TO WHOM THE DATA MIGHT BE DISCLOSED
<p>Members of the ad hoc board (Head of Administration, Legal Officer and external medical practitioner).</p> <p>Director.</p> <p>Possibly Appeals Board (Article 28 of the EU SatCen Staff Regulations).</p> <p>Possibly Ombudsman.</p>	
13/	RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA
<p>Staff members granted allowance: All documents and data processed are kept in the personal file for 10 years in the personal file after the end of active employment or end of pension rights.</p> <p>Staff members not granted allowance: their data are kept in their personal file for a maximum of two years, taking into consideration the time they might need to challenge the decision</p>	
13 A/	TIME LIMIT TO BLOCK/ERASE ON JUSTIFIED LEGITIMATE REQUEST FROM THE DATA SUBJECTS
<p>Within a month of delay after receipt of the request</p> <p><i>(Please, specify the time limits for every category, if applicable)</i></p>	
14/	HISTORICAL, STATISTICAL OR SCIENTIFIC PURPOSES
<p><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> <p>NO</p>	

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

17/	COMMENTS

PLACE AND DATE: TORREJON DE ARDOZ

DATA PROTECTION OFFICER: JEAN- BAPTISTE TAUPIN

INSTITUTION OR BODY: EUROPEAN UNION SATELLITE CENTRE