

REGISTER NUMBER: 1395

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 05/09/2016
Case number: 2016-0777
Institution: EEAS
Legal basis: article 27-5 of the regulation CE 45/2001⁽¹⁾

(1) OJ L 8, 12.01.2001

INFORMATION TO BE GIVEN⁽²⁾

(2) Please attach all necessary backup documents

1/ Name and address of the controller

Controller
European External Action Service (EEAS)

Directorate/Division responsible for managing the personal data processing operation:
EEAS.BA.HR.5, Local Agents Division
Former MDR.C5, Local Agents

At the time of the notification in charge of the management of the processing operation:

Luc Véron
Head of Division, EEAS.BA.HR.5, Local Agents
05/211 Rue de la Loi, Brussels 1040, Belgium
Tel: 25844152

Co-controller
EU Delegation to each specific third country and international organisation

2/ Organisational parts of the institution or body entrusted with the processing of personal data
EEAS BA.HR.5

3/ Name of the processing

Complimentary Sickness Insurance for Local Agents- Medical Care Subject to Prior Authorisation Request

4/ Purpose or purposes of the processing

The purpose of this data processing operation is to verify by EEAS Headquarters the data that is required when medical care is requested that requires prior authorisation from or consultation with Headquarters

hospitalisations
surgical interventions
deliveries
all therapies: physiotherapy, psychotherapy, logopedics, etc.
unusual or expensive examinations
under certain circumstances, optical expenses
dental care, other than normal extractions, fillings, scaling, consultations, X-rays
costs incurred for medical care during missions outside the country of employment
medical costs related to accidents at work

5/ Description of the category or categories of data subjects

Data are processed from the following individuals or group of people:

Local agents

Eligible dependents of the local agents

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

Data (category or type of data), including personal data, processed are the following:

Name

Marital Status

Family members information

Personnel number of local agent

Office/Delegation

Medical records (e.g. results of medical examinations including X-rays, etc.)

Work patterns - absences etc.

7/ Information to be given to data subjects

A Privacy Statement linked to this Notification contains all information provided to the Data Subject(s).

The aforementioned Privacy Statement is available on the intranet EEASzone: ADMINISTRATION > HUMAN RESOURCES > LOCAL AGENTS > CSISLA: <http://intragate.ec.europa.eu/eeas/eeaszone/?q=node/28121> and in the EU Delegations' Guide: HUMAN RESOURCES > LOCAL AGENTS > CSISLA: <http://intragate.ec.europa.eu/admcorner/eudelguide/policy.cfm?pid=1645>

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

Data subjects have the right to access their personal data and the right to correct any inaccurate or incomplete personal data, as well as to request the removal of unlawful personal data, which will be implemented within 5 working days after the request has been deemed legitimate. If the data subject has any queries concerning the processing of his/her personal data, s/he may address them to the data controller at the following functional mailbox:

LOCAL-AGENTS-CSISLA@eeas.europa.eu; LOCAL-AGENTS@eeas.europa.eu

9/ Automated / Manual processing operation
Both

10/ Storage media of data

Electronic files: e-mails, files sent by Ares, - stored on the group drive with access on a need-to-know basis for CSISLA team access.

Paper files are sent by diplomatic pouch and kept in locked file cabinets.

Information is so far not uploaded into a specific IT tool (e.g. HR-Delegation / eDel HRM)

11/ Legal basis and lawfulness of the processing operation

Articles 9 and 15 of the CSISLA* regulation

Further legal reference:

Good administrative practices in the framework of the Treaty of Lisbon and the Council Decision of 26 July 2010 establishing the organisation and functioning of the European External Action Service (2010/427/EU) available on http://www.eeas.europa.eu/background/docs/eeas_decision_en.pdf

*Complementary Sickness Insurance Scheme for Local Agents (CSISLA)

Link on intranet/EEAS zone: <http://intragate.ec.europa.eu/eeas/eeaszone/?q=node/28121>

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

Headquarters' CSISLA team A61 dedicated staff

Delegation's dedicated administration (including the Head of Administration) - all staff signed the confidentiality declaration

Subcontractors (medical and dental advisors) assigned by EEAS BA HR 5

Medical practitioners

Translators (if applicable, the main elements of the requests may be translated into the working language of the Delegation)

13/ retention policy of (categories of) personal data

Medical records are to be kept for 30 years after the termination of duties of the person concerned in accordance with the Common Commission-Level Retention list Management Schedule - Annex I. Point 12.3.10.

Payment related financial documents are to be kept for the periods determined under the Financial Regulation as justification for the payment (5 + 2 years due to budgetary discharge);

Other data in supporting documents are to be kept for 5 years for control, inspection and audit purposes.

When appropriate, in accordance with Article 48(3) of the Rules of Application of the Financial Regulation, personal data contained in supporting documents should be deleted where possible where these data are not necessary for budgetary discharge, control and audit purposes.

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)

Justified requests are treated within 10 working days after the request will have been deemed legitimate.

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,

N/A

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

Potential transfer to Primary Insurance Company (i.e. the insurance company with which the local agent has a primary insurance coverage) in case of existing primary insurance coverage)

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,

Yes. The processing operation involves medical records including medical results (e.g X-rays etc.)

Article 27.2.(b)

Processing operations intended to evaluate personal aspects relating to the data subject,

N/A

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

17/ Comments

Description:

Hospitalisations, surgical interventions, deliveries

The prior authorisation requests (PAR) for planned hospitalisations and surgical interventions are to be submitted as soon as possible and allowing sufficient time for Headquarters to respond prior to the date scheduled for the hospitalisation or surgical intervention; please take into account that Headquarters may have to request additional information.

In particular for births, the PAR should be submitted at least two months prior to the expected date of delivery. Cost estimates for normal delivery as well as for caesarean section need to be submitted.

PARs must always be accompanied by a detailed medical report and itemised cost estimate, based on accommodation in a double room.

Out of respect for the complementary nature of the CSISLA vis-à-vis the primary cover in the country, it is the Delegation's responsibility to verify the possibility of a financial intervention by the local primary system and whether such intervention has been requested. If so, the amount of the intervention must be indicated.

Some expenses are not reimbursable: telephone and any other personal expenses, the supplementary costs linked to a

It is to be noted that the present data protection notification is a model notification. Model notifications are used when there are similar processing operations in several divisions, directorates, or in this case, in EU Delegations. It means that there will be only one notification covering the same process for all EU Delegations. There is a central management of the present procedure and data processing determined by the relevant division of the EEAS. Therefore, with regard to the personal data processing operation, the controller is the division in HQ, who is responsible for determining the purpose and the means of the procedure, defined under point 2 of the data protection notification. Although the Data Controller for the Model Notification is the organisational entity specified under point 2 of this notification, each Delegation under the supervision of the Head of Delegation will be the co-controller responsible for processing personal data in compliance with the provisions of Regulation (EC) 45/2001.

PLACE AND DATE: Brussels, 05.08.2016
DATA PROTECTION OFFICER: SAVOIA-KELETI Emese
INSTITUTION OR BODY: European External Action Service