

**REGISTER NUMBER:1396**

**NOTIFICATION FOR PRIOR CHECKING**

Date of submission: 06/09/2016  
Case number: 2016-0778  
Institution : EEAS  
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

Controller  
European External Action Service (EEAS)

Directorate/Division responsible for managing the personal data processing operation:  
EEAS BA.HR.3 - Rights and Obligations Division

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

Alison Weston  
Head of Rights and Obligations Division, EEAS BA.HR.3  
Francesco Caleprico  
Deputy Head of Division Rights and Obligations Division, EEAS BA.HR.3

Delegated Contact Team

Sector 'Medical Support and Medical repatriations', EEAS BA.HR.3 - Rights and Obligations Division  
Isabelle Delbeke, Medical Officer, and Evert-Jan Slootman Medical Officer; Inge Theunissen - Medical support assistant.

Co-controller  
EU Delegation in third countries

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

EEAS - BA.HR.3

3/ Name of the processing

EEAS personal data processing for repatriation of EU expatriate staff on medical grounds

4/ Purpose or purposes of the processing

The purpose of the data processing operation is to manage and follow up the process of authorization of repatriation on medical grounds.

5/ Description of the category or categories of data subjects

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

I. Officials, temporary and contractual agents, JPDs, SNEs

II. Entitled dependent relatives living with the officials, temporary and contractual agents, in the third country.

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

Data processed are the following:

- Personal Data in the authorisation decision sent via ARES (name forename, evacuation beginning and end date, pers. Number, place of repatriation date) of expatriate staff in EU delegations or their entitled dependants

- Personal Medical Data remaining in the medical file (name forename, address, date of birth, medical report, diagnosis, treatment, X-Rays, results of other complementary exams, doctor's prescription, sickness leave) of expatriate staff in EU Delegations or their

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 distinct Privacy Statement is available on the intranet - EEASzone.

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

As regards to the evacuation decision drafted by EEAS.BA.HR.3 : 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 their personal data, which will be implemented within 10 working days after the request has been deemed legitimate. If the data subject has any queries concerning the processing of his/her personal

9/ Automated / Manual processing operation

This processing operation is mainly a manual processing operation with the help of electronic means. Data are collected manually by the dedicated staff.

10/ Storage media of data

The medical files are kept in HQ, in a locked room, in locked cupboards. Only the staff dealing with repatriation on medical grounds has access to this room.

In the Delegations, the information is kept in the personal file safely in the Administrative Area. Authorisation notes are saved in a folder on the group

11/ Legal basis and lawfulness of the processing operation

\* Article 24 of Annex X to the Staff Regulations

This information is available in the EU Del Guide.

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](http://www.eeas.europa.eu/background/docs/eeas_decision_en.pdf)

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

Delegations: The Head of Delegation, Head of Administration and other dedicated staff dealing with the repatriation and the reimbursement of transport costs.

HQ: The case handler(s) in BA.HA.3, Head of Division, the Medical Service of the Commission, PMO.6

Medical information may be shared between the EC Medical Service, the EEAS Medical Service and Falck,

13/ retention policy of (categories of) personal data

The authorization note is kept for 10 years in accordance with the Common Commission-Level Retention List for European Commission Files.

Medical files are kept for 30 years, after the termination of duties of the person concerned and in any case, at least until the person concerned reaches the age of 75 (Common Retention List reference 12.3.10).

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

Some data might be transferred to the service provider, (for example air-ambulance provider) in case of urgency and in order to ensure a safe repatriation.

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 authorization of expatriation on medical grounds and the consequent reimbursement of cost will include a medical report with data relating to health

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

Extreme emergency repatriation:

The authorization for the repatriation has to be done by the EEAS Authorising Officer (AOSD) BA.HR.3 on advice from the EC Medical Service; however, if the situation does not allow for these contacts to happen in a timely manner, life saving measures have priority over procedures. In such cases decisions by the local delegation management can be authorised ex-post.

Emergency repatriation:

The authorization can only be made exclusively by the EEAS Authorising Officer (AOSD) BA.HR.3 on advice from the EC Medical Service. In this vast majority of cases there is ample time to contact the Medical Service of the Commission. The Medical Service provides an opinion to the Authorising Officer, BA.HR.3.

- 1) BA.HR.3 issues a note authorising the repatriation, , where possible the duration and the class of travel;
- 2) The official concerned provides supporting documents and reimbursement claim to the local administration and BA.HR.3 validates the request for reimbursements to the staff member.

COMMENTS

1. To be noted: any such disclosure or unauthorised use by an official or contractual agent constitutes a failure to comply with the obligations laid down in Article 17 of the Staff Regulations and is liable to lead to disciplinary proceedings under Title VI of the Staff Regulations. Such an act by a local staff member constitutes serious misconduct within the meaning of Article 20 of the Framework Rules and Chapter IX of the Specific Conditions of Employment, without prejudice to the relevant provisions of national legislation.

In order to safeguard the confidentiality of medical data, it is necessary to reduce to the strict minimum the number of people required to handle the

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