

**REGISTER NUMBER:1413**

**NOTIFICATION FOR PRIOR CHECKING**

Date of submission: 18/11/2016

Case number: 2016-1060

Institution: EP

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

Ms Suzanne KONIG, Director  
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Mr Jesus MORENO DIAZ, Director  
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Joint controllership is necessary because data related to recruitment and careers are under the responsibility of the Directorate for Human Resources Development.

2/ Organisational parts of the institution or body entrusted with the processing of personal data  
European Parliament, Directorate-General for Personnel, Directorate for Administrative Management  
European Parliament, Directorate-General for Personnel, Directorate for Human Resources Development

3/ Name of the processing

Collaborative space for sharing information about the administrative situation of Accredited Parliamentary Assistants - Confluence

4/ Purpose or purposes of the processing

The purpose of the processing is to carry out ex-post controls in order to verify the respect of contractual obligations stemming from the employment contracts of Accredited Parliamentary Assistants (APAs) recruited by the European Parliament as contractual staff. The Directorate-General for Personnel (DG PERS) needs to ensure management and exchange of information about the administrative situation of Accredited Parliamentary Assistants (APAs) for which the administration has first evidence of a possible infringement of rules or contractual obligations (preliminary check aimed at determining whether the launch of an administrative enquiry is justified).

The process is necessary to ensure an efficient follow-up of APA administrative files requiring cooperation and coordination by the responsible Units.

The exchange of personal data in the framework of the collaborative space (Confluence) should allow the implementation of the legal obligation to respect sound financial management (Financial Regulation), to operate more efficiently and to fight against fraud or any illegal activity affecting the financial interests of the EU (OLAF regulation).

The categories of data collected and used for the processing operations relate to the administrative procedures which concern:

1. Missions
2. Individual Entitlements and Payroll
3. Pensions and Social Insurance
4. Relations with Personnel - assisting staff in their relations with the Belgian authorities, notably regarding their registration (Special ID cards)
5. Recruitment - recruiting APAs and managing their contracts (including in the context of resignations and dismissals)
6. Careers - requests to engage in an outside activity or hold public office, declarations of candidacy in elections, managing administrative enquiries

The Director for Administrative Management collects, puts together and cross-checks the information on the specific case that is out of the rules in order to ask for explanations.

5/ Description of the category or categories of data subjects  
Accredited Parliamentary Assistants (APAs)

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

Name of the APA, the APA's mission declarations, place of residence - registration (special identity card), leave and absences, recruitment dates, information about entitlements and allowances as well as requests to engage in an outside activity or hold public office.

All the data have to be exchanged between the responsible services to ensure a correct follow-up of the respective files.

7/ Information to be given to data subjects

Legal notice published in Streamline.

Declaration on data protection on EP's website.

Disclaimer in Confluence.

References could be introduced in the contract with the APA.

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

Information can be communicated to the Heads of the responsible Units or personally corrected in Streamline.

The controller may request to meet the APA asking explanations and listen to his/her reasons.

9/ Automated / Manual processing operation

1. Collection from the data subject (direct)

2. Other source of collection (indirect):

Streamline

Mission management application (MISS)

AssMal (no access to medical data - only date and place of services)

The Confluence collaborative space is a stand-alone tool which is not connected to any other IT applications, databases or systems.

10/ Storage media of data

Parliament network: DG PERS server location

11/ Legal basis and lawfulness of the processing operation

1. Financial regulation (Regulation (EU, Euratom) No 966/2012 of 25 October 2012, as amended);
2. OLAF regulation (Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999).
3. Internal Rules on the Implementation of the European Parliament's Budget - Bureau Decision 16/06/2014
4. General Implementing Provisions Governing Disciplinary Proceedings and Administrative Investigations 18/05/2014

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

All information remains within DG PERS Directorate B and Directorate A entities which need to process the information.

Potential recipients: DG PERS DG, Careers Unit and OLAF

13/ retention policy of (categories of) personal data

The data regarding the administrative situation of APAs will be stored in the application only during the processing time of the respective files, i.e. until the AIPN decides that no follow-up actions are needed.

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)*

**BLOCKING:**

THE DATA CONTROLLER SHALL TAKE A DECISION WITHIN 15 WORKING DAYS OF RECEIVING A REQUEST FOR DATA TO BE BLOCKED. IF THE REQUEST IS ACCEPTED, IT SHALL BE ACTED UPON WITHIN 30 WORKING DAYS AND THE DATA SUBJECT NOTIFIED THEREOF. SHOULD THE REQUEST FOR BLOCKING BE REJECTED, THE DATA CONTROLLER SHALL HAVE 15 WORKING DAYS WITHIN WHICH TO INFORM THE DATA SUBJECT BY MEANS OF A LETTER STATING THE GROUNDS FOR THE REJECTION.

**ERASURE:**

THE DATA CONTROLLER SHALL REPLY WITHIN 15 WORKING DAYS OF RECEIVING A REQUEST FOR ERASURE. IF THE REQUEST IS ACCEPTED, IT SHALL BE ACTED UPON IMMEDIATELY. IF THE DATA CONTROLLER DEEMS THE REQUEST UNJUSTIFIED, HE OR SHE SHALL HAVE 15 WORKING DAYS WITHIN WHICH TO INFORM THE DATA SUBJECT BY MEANS OF A LETTER STATING THE GROUNDS FOR THE DECISION.

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

N/A

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,

Article 27.2.(b)

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

17/ Comments

PLACE AND DATE: Luxembourg, 18 November 2016

DATA PROTECTION OFFICER: Secondo Sabbioni

INSTITUTION OR BODY: European Parliament