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ASSISTANT SUPERVISOR

Mr Jonathan STEELE
Data Protection Officer of the
European Parliament
KAD - 06B006
B-1047 Brussels

Brussels, 22 March 2010
RB/amv D(2010)0402 C 2009-0328

Subject: Pericles

Dear Mr Steele,

I refer to your consultation on whether the data processing operations referred to as "Pericles" are subject to prior checking by the EDPS, pursuant to Article 27(1) of the Regulation (EC) No 45/2001.

Pericles system is an IT tool that serves to organise meetings, including the distribution of rooms, facilities and also the allocation of interpreters. This includes the allocation of the so-called interpreter 'team leader', who is the interlocutor for the meeting's secretariat (competent to decide on the spot questions such as prolongation of the meeting, change of language regime, etc). Pericles automatically designates as team leader the staff interpreter with highest grade. For meetings where the interpreters are temporary agents and freelancers (usually referred to as auxiliary conference interpreters "ACIs"), team leaders are selected from a list drafted by the Head of Unit on the basis of the ACIs experience.

In principle, the designation of team leaders could be deemed to involve the evaluation of personal aspects relating to the interpreters, and thus be subject to prior checking *ex* Article 27(2)(b) of Regulation (EC) No 45/2001.

However, on the one hand, the EDPS notes that the main purpose of Pericles is the organisation of meetings; if there is an assessment of interpreters, it is completely peripheral. All staff interpreters other than ACIs are appointed on the basis of existing grades (the highest grades), which indicates that the level of assessment made by Pericles is basically non-existent. For ACIs, the list, made manually by Head of Unit, is drafted on the basis of the same criteria as for regular staff, i.e., experience of the interpreter, which is used as a criterion equivalent to the grades. This indicates that Pericles does not involve in itself a *de facto* evaluation of interpreters but rather relies on an assessment *previously* made, both in the context of the annual report and promotion

procedure and in the context of the *ad hoc* evaluation of interpreters. Both processing operations were prior checked by the EDPS (case 2004-206¹ and 2008-578² respectively).

On the basis of the above, the EDPS has concluded that there is no need to prior checking this IT tool. Of course, the rights and obligations of Regulation (EC) No 45/2001 continue applying.

EDPS would appreciate if you could share this consideration with the controller. We, of course, remain available for any further consultation on the matter.

Yours sincerely,

(signed)

Giovanni BUTTARELLI

¹ Opinion on the notification for prior checking received from the Data Protection Officer of the European Parliament relating to the reports procedure and the RAPNOT system, Brussels, 3 March 2005.

² Opinion on a notification for Prior Checking received from the Data Protection Officer of the European Parliament concerning the evaluation of interpreters, Brussels, 5 December 2008.