



GIOVANNI BUTTARELLI
ASSISTANT SUPERVISOR

[...]
Data Protection Officer
European GNSS Agency (GSA)
Janovského 438/2
17000 Prague 7 Holešovice
Czech Republic

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GB/MG/sn/D(2014)1091 C 2014-0474
Please use edps@edps.europa.eu for all
Correspondence

Subject: Prior checking notification concerning "HR software EUHR Allegro"

Dear [...],

On 24 April 2014, the European Data Protection Supervisor ("EDPS") received from the Data Protection Officer ("DPO") of the European GNSS Agency ("GSA") a notification for prior checking concerning "HR software EUHR Allegro".

The notification was accompanied by the following documents:

1. Cover letter with an overview of the procedure;
2. Privacy statement ("Statement on the protection of personal data in relation to the procedures carried out in EU-HR Allegro").

The software in question offers an IT platform for the management of personnel files at GSA as regards their "rights and entitlements" (salary and allowances; leave rights) of staff members (temporary and contract agents employed by the Agency and, subject to certain limitations, seconded national experts, trainees and interimaire).

The EDPS is of the opinion that the management of personnel files through this software is not subject to prior checking under Article 27 of Regulation (EC) 45/2001 (the "Regulation").¹

¹ See assessment already made of the same software in case 2011-1102, related to EU-OSHA.

GSA states that processing of data relating to health and to suspected offences, offences, criminal convictions or security measures is not available. Hence, Article 27.2(a) of the Regulation would not be applicable.

Furthermore, the processing operations are not intended to evaluate personal aspects related to the data subject (Article 27.2(b)), since they only take stock of the outcome of separate procedures, some of them being subject to prior checking in their own right.

Moreover, the processing of personal data as provided for in this case ('the computerisation of personal files') does not foresee linkages not provided for pursuant to national or Community legislation between data processed for different purposes (Article 27.2(c)).

Lastly, Article 27.2(d) of the Regulation makes "processing operations for the purpose of excluding individuals from a right, benefit or contract" subject to prior checking. This provision mainly refers to processing operations such as blacklist or exclusion databases² and hence does not apply to this case.

In view of the above, the EDPS considers that the data processing in question is **not subject to prior checking** and has therefore decided to **close** the case.

Despite the fact the management of Allegro is not subject to prior checking, the EDPS would like to remind GSA that the relevant obligations described in the Regulation must be complied with. In particular, GSA should ensure that the mandatory security measures under Article 22 of the Regulation are adequately applied.

Yours Sincerely,

Giovanni BUTTARELLI
Assistant Supervisor

² See e.g. cases 2009-0681 and 2010-0426.