



(To be filled out by the EDPS' DPO)

Register number: 43

Date of submission: 16/07/2013

Legal basis: Art 25 Regulation 45/2001

NOTIFICATION

INFORMATION TO BE GIVEN¹

1/ NAME AND FIRST NAME OF THE CONTROLLER

EDPS STAFF COMMITTEE

2/ SERVICE RESPONSIBLE FOR PROCESSING PERSONAL DATA

EDPS Staff Committee

3/ NAME AND DESCRIPTION OF THE PROCESSING OPERATION

Staff Committee Activities

Pursuant to Article 9 of the Staff Regulations there shall be set up within each institution a Staff Committee ("SC"), having as its main function that of representing the interests of the staff vis-à-vis their institution and maintain continuous contact between the institution and the staff.

In carrying out its function, the SC may receive and process personal information concerning members of the staff directly from the data subject or by other staff members.

The categories of personal data dealt with are those brought voluntarily to the attention of the Staff Committee by the staff, concerning any personal difficulties regarding the interpretation or the application of the Staff Regulations. This may include for instance the interpretation or application of rules concerning promotions, harassment, personal entitlements or other statutory rights and obligations. The information received will be used to address issues relating to the interpretation or application of the Staff Regulation from a general perspective in the framework of the established dialogue with the EDPS management.

¹ Please attach all relevant documents

A functional mailbox EDPS Staff Committee has been created, which can be accessed by all members of the Staff Committee and alternates. A request to add or delete access rights shall come from a current member and be made to EP ITEC services the EDPS Staff Committee functional mailbox. As it is the rule for most or all IT services at the EDPS, the functional mailbox is administered by the EP IT services on the basis of a SLA with the EP. Neither the EDPS nor the Staff Committee have therefore direct control over access rights and other system administration issues. The rules and functioning of this functional mailbox are the same as those of other functional mailboxes operated by the EP IT services.

A case file concerning Staff Committee matters has been created (C 2012-0255). Access to the e-file is allowed only to Staff Committee Members and alternates. The paper file can be consulted, updated and physically kept by any members and/or alternates. It is stored in a locked cupboard in the office of the person who is physically holding it.

E-mails and documents are archived in such e-files and/or the paper files, when necessary. Recollection of such correspondence is not needed in all cases. Therefore, personal communications are not saved or archived in the case file, unless a specific need exists.

The Staff Committee is bound to ensure the confidentiality of the communications received from the staff vis-à-vis the institution. In particular, the views of the staff are conveyed to the management with the consent of the data subject and on a no name basis, so as to exclude the direct identification of the persons concerned.

4/ PURPOSE(S) OF THE PROCESSING

The purpose of the processing is to carry out the functions of the Staff Committee at the EDPS as laid down in the Staff Regulations, see previous section.

5/ DESCRIPTION OF THE CATEGORY(IES) OF DATA SUBJECT(S)

- Members of the Staff Committee and alternates
- Staff members of the EDPS

6/ DESCRIPTION OF THE DATA OR CATEGORIES OF DATA (INCLUDING, IF APPLICABLE, SPECIAL CATEGORIES OF DATA (ARTICLE 10) AND/OR ORIGIN OF DATA)

- Name, function, contact details;
- E-mails sent to or from the Staff Committee or between Staff Committee Members may contain personal data of the staff concerned, such as for example the views of the staff members on particular issues or the difficulties he or she is experiencing
- Internal reports or documents may contain in some cases the above data as well
- It cannot be excluded that sensitive data may be collected and processed in exceptional circumstances, for example where a staff member reports on particular issues or the difficulties he or she is experiencing.

7/ INFORMATION TO BE PROVIDED TO THE DATA SUBJECTS

A Privacy Statement is published on the EDPS intranet site. The text of the Privacy Statement is copied below:

"All personal information processed by the EDPS Staff Committee in the exercise of its statutory tasks is subject to Regulation (EC) 45/2001.

In compliance with articles 11 and 12 of the Regulation, the EDPS is providing staff with the following information:

The Controller is the EDPS Staff Committee, as elected by EDPS staff in its General Assembly. Data are mainly processed by the EDPS Staff Committee members for the exercise of its duties.

The legal basis for processing data is Article 9 and Annex II of the Staff Regulations.

The Staff Committee shall represent the interests of the staff vis-à-vis their institution and maintain continuous contact between the institution and the staff. It shall contribute to the smooth running of the service by providing a channel for the expression of opinion by the staff. In this function, it may receive and process personal information concerning members of the staff directly from the data subject or by other staff members.

The categories of personal data dealt with are those brought voluntarily to the attention of the Staff Committee by the staff, concerning any personal difficulties regarding the interpretation or the application of the Staff Regulations. This may include for instance the interpretation or application of rules concerning promotions, harassment, personal entitlements or other statutory rights and obligations. The information received will be used to address issues relating to the interpretation or application of the Staff Regulation from a general perspective in the framework of the established dialogue with the EDPS management.

The Staff Committee is bound to ensure the confidentiality of the communications received from the staff vis-à-vis the institution. In particular, the views of the staff are transmitted on a no name basis, so as to exclude the direct identification of the persons concerned.

Staff members have the right to access and rectify their own data by contacting the Staff Committee at EDPS-Staff-Committee@edps.europa.eu

Staff members have the right to refer to the DPO of the institution at any time (EDPS-DPO@edps.europa.eu)

If transmitted by e-mail, the personal information is stored in the functional mailbox of the Staff Committee, the e-file and/or the paper file for the maximum period of the duration of the appointed Staff Committee plus one year".

8/ PROCEDURES TO GRANT DATA SUBJECTS' RIGHTS (RIGHTS OF ACCESS, TO RECTIFY, TO BLOCK, TO ERASE, TO OBJECT)

Data subjects can exercise their rights by sending an e-mail to the EDPS Staff Committee functional mailbox (EDPS-Staff-Committee@edps.europa.eu).

Data subjects have the right to access and rectify personal data concerning them.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

Automated and manual processing.

10/ STORAGE MEDIA OF DATA

There are three main ways for storing personal data

- Functional mailbox
- E-file
- Paper file

Documents and e-mails containing personal data are stored only where needed.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

Article 9 and Annex II of the Staff Regulations. Article 5(a) of Regulation 45/2001.

12/ THE RECIPIENTS OR CATEGORIES OF RECIPIENTS TO WHOM THE DATA MIGHT BE DISCLOSED

Data can be accessed only by Staff Committee members and alternates.

The Staff Committee is bound to ensure the confidentiality of the communications received from the staff vis-à-vis the institution. In particular, the views of the staff are transmitted to the management with the consent of the data subject and on a no name basis, so as to exclude the direct identification of the persons concerned.

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

If transmitted by e-mail, the personal information is stored in the functional mailbox of the Staff Committee, the e-file and/or the paper file for the maximum period of the duration of the appointed Staff Committee plus one year. After this period, the SC subsequently in charge should delete the related data.

13 BIS/ TIME LIMITS FOR BLOCKING AND ERASURE OF THE DIFFERENT CATEGORIES OF DATA

(further to justified legitimate request from the data subject)

(Please, specify the time limits for every category, if applicable)

- Upon justified request by the data subject: 15 working days.
- Article 20§1 (c) of Regulation (EC) 45/2001 may apply.

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

NOT APPLICABLE

15/ PROPOSED TRANSFERS OF DATA TO THIRD COUNTRIES OR INTERNATIONAL ORGANISATIONS

NOT APPLICABLE

16/ FURTHER INFORMATION

The data controller declares the accuracy of the above statements and undertakes to notify any change affecting this information to the Data Protection Officer.

PLACE AND DATE: BRUSSELS 16 JULY 2013

THE CONTROLLER: THE EDPS STAFF COMMITTEE