



(To be filled out by the EDPS' DPO)

**Register number: 40**

**Date of submission: 13/07/2015**

**Legal basis: Art 25 Regulation 45/2001**

## NOTIFICATION

### INFORMATION TO BE GIVEN<sup>1</sup>

1/ NAME AND FIRST NAME OF THE CONTROLLER

EUROPEAN DATA PROTECTION SUPERVISOR

2/ SERVICE RESPONSIBLE FOR PROCESSING PERSONAL DATA

THE HEAD OF HUMAN RESOURCES, BUDGET AND ADMINISTRATION UNIT AND THE FINANCE TEAM

3/ NAME AND DESCRIPTION OF THE PROCESSING OPERATION

BILLING AND BUDGET MANAGEMENT OF TELEPHONE CONSUMPTIONS

According to the administrative cooperation agreement between the Secretary General of the European Parliament and the European Data Protection Supervisor, the European Parliament (hereinafter the "EP") provides the European Data Protection Supervisor with a set of services, in particular telephone services.

The European Data Protection Supervisor has his own budget to cover the payment of these services. In line with Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union (hereinafter the "Financial Regulation") and its implementing rules, the related costs are reimbursed to the EP as the latter, for operational reasons, pays them directly to third parties.

The EP sends by email to the EDPS a monthly report on the telephone consumptions which consists of two different documents:

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<sup>1</sup> Please attach all relevant documents

- A PDF file that shows the consumption of the current month. The information is broken down by telephone number, name of the person, number of calls, total duration, total cost.
- An Excel file ("tableau récapitulatif") that shows the consumption of the current year, broken down by the total cost of the month per telephone number.

The reimbursement of these costs is made upon the reception of an invoice issued by the EP to the EDPS on a quarterly basis.

The PDF document represents the background information to complete the Excel table. The Excel table is the supporting document used for the further reimbursement of the costs to the EP by means of a financial transaction (payment order) in ABAC.

At the EDPS, the finance team prints out the ABAC information to circulate the file related to the financial transaction under process, for validation and signature of the Authorising officer by delegation or the Authorising officer by subdelegation. Once it has been signed, the transaction (hard copy of ABAC printout as well as the supporting documents with only the tableau récapitulatif) is stored in a locked cupboard.

#### 4/ PURPOSE(S) OF THE PROCESSING

The purpose of this process is to ensure the processing for billing and budget management of telephone consumptions in order to implement the budget of the European Data Protection Supervisor.

There is absolutely no purpose of monitoring in the processing at stake.

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

- EDPS Members: the Supervisor and the Assistant Supervisor
- EDPS Staff members
- EDPS' other staff (seconded national experts, trainees, interim agents)

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

The data, which will be used only for that processing, are personal data collected and further processed concerning the data subject (natural persons).

Information can relate to all or some of the following data:

- Name (first name, family name, previous family name);
- Contact details (business telephone number, professional mobile telephone number);
- Monthly telephone consumption (number of calls, total duration, total cost).

Data are received by email from the European Parliament in two different documents:

- A PDF file that shows the consumption of the current month. The information is broken down by telephone number, name of the person, number of calls, total duration, total cost.

- An Excel file ("tableau récapitulatif") that shows the consumption of the current year, broken down by the total cost of the month per telephone number.

#### 7/ INFORMATION TO BE PROVIDED TO THE DATA SUBJECTS

Data subjects are to be informed about the processing of their data by the following Privacy Statement:

Regulation 45/2001 (herein after the Regulation) applies to the processing of personal data carried out for billing and budget management of telephone consumptions. Further to Article 11 and Article 12 of this Regulation, the EDPS provides data subjects the following information:

The controller is the EDPS

The purpose of this process is to ensure the processing for billing and budget management of telephone consumptions in order to implement the budget of the EDPS. There is absolutely no purpose of monitoring in the processing at stake. The EP sends by email to the EDPS a monthly report on the telephone consumptions which consists of two different documents:

- A PDF file that shows the consumption of the current month. The information is broken down by telephone number, name of the person, number of calls, total duration, total cost.
- An Excel file ("tableau récapitulatif") that shows the consumption of the current year, broken down by the total cost of the month per telephone number.

The reimbursement of these costs is made upon the reception of an invoice issued by the EP to the EDPS on a quarterly basis.

The data, which will be used only for that processing, are personal data collected and further processed concerning the data subject (natural persons). Information can relate to all or some of the following data:

- Name (first name, family name, previous family name);
- Contact details (business telephone number, professional mobile telephone number);
- Monthly telephone consumption (number of calls, total duration, total cost).

The recipients of the data are:

- Court of Auditors
- Internal Audit Service
- DG Budget of the Commission
- Budgetary Authority: European Parliament and European Council

The data subjects have the right of access and the right to rectify the data concerning them by contacting the controller.

The legal basis of the processing operation at stake is:

- Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002
- Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union
- The administrative agreement on the provision of services by the European Parliament to the European Data Protection Supervisor signed on 17/04/2013.

Data collected by the EDPS (paper files) for the purpose of processing the reimbursement (payment order in ABAC) of the costs are stored in locked cupboards for 5 years after the discharge procedure. The tableau récapitulatif is the only one kept in those paper files.

The EP's email sent to the EDPS containing the monthly report on the telephone consumptions is kept for only 2 months in the archives of Outlook of the official in charge.

Data subjects have the right to have recourse at any time to the EDPS DPO.

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

Rights of the data subject: you have the right to obtain access (given only to own data of the data subject, other data being manually not accessible) to and rectification of your personal data, as appropriate. Finally you have the right to object to the processing of your personal data at any time, on legitimate compelling grounds relating to your particular situation.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

ABAC is a transversal, transactional information system allowing for the execution and monitoring of all budgetary and accounting operations by the Commission, an Agency or other Institution. The system has been developed by the Commission and includes a comprehensive set of features to ensure compliance to the Financial Regulation and Implementing Rules.

At the EDPS, the finance team prints out the ABAC information to circulate the file related to the financial transaction under process, for validation and signature of the Authorising officer. Once it has been signed, the transaction (hard copy of ABAC printout as well as the supporting documents with only the tableau récapitulatif) is stored in a locked cupboard.

10/ STORAGE MEDIA OF DATA

Data collected by the EDPS (paper files) for the purpose of processing the reimbursement (payment order in ABAC) of the costs are stored in locked cupboards for 5 years after the discharge procedure.

The EP's email sent to the EDPS containing the monthly report on the telephone consumptions is kept for only 2 months in the archives of Outlook of the official in charge.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

The legal basis of the processing operation at stake is:

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- Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002
- Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union- The administrative agreement on the provision of services by the European Parliament to the European Data Protection Supervisor signed on 17/04/2013.

This processing is lawful under Regulation (EC) 45/2001 establishing the European Data Protection Supervisor and setting out his duties and powers, in particular Article 5(a) thereof.

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

The recipients of the data are:

Court of Auditors

Internal Audit Service

DG Budget of the Commission

Budgetary Authority: European Parliament and European Council

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

Data received by email are stored for 2 months.

Data collected by the EDPS (paper files containing only the tableau récapitulatif) for the purpose of processing the reimbursement (payment order in ABAC) of the costs are stored in locked cupboards for 5 years after the discharge procedure.

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)*

Two weeks after the data subject's request.

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/ FURTHER INFORMATION

N/A

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, 13 JULY 2015

THE CONTROLLER: LEONARDO CERVERA NAVAS