



Register number: 5

Date of submission: 12/07/2017

Legal basis: Art 25 Regulation 45/2001

NOTIFICATION

INFORMATION TO BE GIVEN¹

1/ NAME AND FIRST NAME OF THE CONTROLLER

EUROPEAN DATA PROTECTION SUPERVISOR

2/ SERVICE RESPONSIBLE FOR PROCESSING PERSONAL DATA

RECORDS MANAGEMENT SECTOR

3/ NAME AND DESCRIPTION OF THE PROCESSING OPERATION

Fabasoft Folio SaaS - Case Management System (CMS) of the EDPS
IT application for case and records management

This tool serves as central repository for EDPS case files and records, and as a collaborative tool for documents drafting and overall case management.

It includes functionalities for registration, filing, workflow, digitisation, storage, search (metadata and full-text), and management of appraisal and elimination/preservation of documents according to the retention schedule of the EDPS.

¹ Please attach all relevant documents

4/ PURPOSE(S) OF THE PROCESSING

The purpose of the processing is to ensure that documents and records produced and received in the context of EDPS activities are managed according to applicable legal basis and internal policies and procedures.

The document and case management system at the EDPS answers a number of essential needs of the institution:

- ensure business continuity and accountability in the context of EDPS activities by keeping appropriate documentation on them, and contribute to the transparency of EDPS activities to the citizen
- improve quality of services with case management, collaboration and workflow features
- preserve the institutional memory of the EDPS

The CMS is thus used in many EDPS business processes/procedures. In this respect, this notification complements all notifications of those operations processing personal data that are supported by the CMS (see also section 6 on the description of categories of personal data processed)

The CMS is not the only document management tool used by the EDPS (e.g. most Human Resources processes are supported by “Sysper”, finance processes by ABAC etc.).

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

EDPS staff

Members and staff of EU institutions, bodies and agencies

Citizens: potentially anyone sending or receiving a document to or from 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)

Personal data included in the system by the EDPS or automatically (e.g. for email addresses):

Name

Surname

Address (email and/or physical and telephone number - if provided, for data subjects outside EDPS)

Organisational entity

Personal data may be contained in the documents themselves or in their metadata.

Additional personal data may be provided by data subjects themselves in the context of information exchanges such as complaints, requests for information or advice, requests for own personal data, or by third parties (e.g. other institutions), or collected by the EDPS to carry out their institutional tasks. Such data are included in documents provided to EDPS, and not recorded separately in the system.

The processing of personal data contained in the documents themselves is accounted for by the notification of the business process / procedure they support. For example, processing of personal data contained in documents relating to complaints is accounted for by the notification on “Complaints”. This notification complements those notifications by taking into account the use of the CMS.

7/ INFORMATION TO BE PROVIDED TO THE DATA SUBJECTS

The following privacy statement is posted in the EDPS Intranet and included in the e-mail providing CMS credentials.

Regulation 45/2001 (herein after the Regulation) applies to the processing of personal data carried out in the context of records and case management activities within the EDPS CMS.

This notice is given based on Article 11 and Article 12 of the Regulation.

The CMS processes personal data of EDPS staff, of members and staff of EU institutions, bodies and agencies and any other individuals exchanging information with the EDPS or anyhow referenced by documents drafted for the EDPS to exercise their tasks.

The controller, as defined in the Regulation, is the EDPS.

The purpose of the processing is to ensure that cases and records produced and received in the context of EDPS activities are managed according to applicable legal basis and internal policies and procedures. Appropriate documentation of EDPS actions needs to be kept for accountability and transparency reasons, as well as for preservation of EDPS corporate memory.

The legal basis of the processing operations at stake are:

- Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.
- Decision of the European Data Protection Supervisor, 2013/504/EU, of 17 December 2012 on the adoption of Rules of Procedure, Article 53 (Documentation).
- Decision of the European Data Protection Supervisor of January 2013 relating to the “Implementation of an internal control system at the EDPS”, Internal Control Standard 11, Document Management
- Records management Policy of the EDPS, December 2015.
- Council Regulation (EEC, EURATOM) NO 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community.
- Council Regulation (EC, EURATOM) No 1700/2003 of 22 September 2003 amending Regulation (EEC, Euratom) No 354/83 concerning the opening to the public of the Historical archives of the European Economic Community and the European Atomic Energy Community.
- Council Regulation (EU) 2015/496 of 17 March 2015 amending Regulation (EEC, Euratom) No 354/83 as regards the deposit of the historical archives of the institutions at the European University Institute in Florence.

The service is operated as Software as a Service with data stored on Fabasoft servers in Austria

The personal data processed are:

- Surname and first name
- Office address, and email
- Personal address and email if and as provided by individuals external to EDPS

Additional personal data may be provided by individuals in the context of information exchanges such as complaints, requests for information or advice, requests for own personal data, or by third parties (e.g. other

institutions), or collected by the EDPS to carry out their institutional tasks. A description of these data is also defined in the [notifications](#) of the operational processes supported by those documents.

The recipients of the data are the Records Management Sector and the CMS Business Administrator. All EDPS staff will have access to the data in part or as a whole in the context of assigned tasks and activities and within the need to know limits related to them.

People whose personal data are processed in the CMS have the **right of access and the right to rectify** the data concerning them within the Case Management System by contacting the Records Manager of the EDPS (https://edps.europa.eu/about-edps/contact_en).

The **time limits** for which the documents and files managed in the system are kept is set in accordance with the EDPS Retention Schedule. The retention period of the personal data contained in the documents is also defined in the [notifications](#) of the operational processes supported by those documents.

People whose personal data are processed in the CMS have the **right to have recourse** at any time to the EDPS DPO (EDPS-DPO@edps.europa.eu) or have recourse to the EDPS as a supervisory authority (EDPS mail box: edps@edps.europa.eu; Postal address: Rue Wiertz 60, B-1047 Brussels, Belgium)

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

Data subjects may exercise the right of access to data concerning him/her and the right to rectify that data by contacting the Records Manager of the EDPS (https://edps.europa.eu/about-edps/contact_en).

9/ AUTOMATED / MANUAL PROCESSING OPERATION

- INGEST (registration and filing) of electronic documents in the system
- DIGITISATION of paper documents with or without optical character recognition (OCR)
- ATTRIBUTION AND WORKFLOW on cases and documents
- NOTIFICATION: the system can distribute notifications to users; the relevant functionality has to be enabled by users themselves.
- PRESERVATION: once ingested, documents and files are stored in Fabasoft Folio.
- SEARCH: full text indexation by the system allows searching on the content of documents as well as the file and document metadata.
- AUDIT: logs monitor changes to objects stored, certain user activities and their timing (e.g. creation of documents, change of metadata)
- REPORTING: Fabasoft Folio produces reports per user, case type, specific period of time in the search module. The work-list module contains per each user a list of cases and workflow activities attributed.
- ELIMINATION: Automatic elimination of document sent to the global wastebasket after 3 months
- USER administration: user creation, attribution of specific roles and access rights; the system checks the user profile against the rights of the user to view content and perform actions in the system.

10/ STORAGE MEDIA OF DATA

The service is operated as Software as a Service with data stored on Fabasoft servers in Austria.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

Lawfulness:

Article 5a of Regulation 45/2001

- Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.
- Decision of the European Data Protection Supervisor, 2013/504/EU, of 17 December 2012 on the adoption of Rules of Procedure, Article 53 (Documentation).
- Decision of the European Data Protection Supervisor of January 2013 relating to the “Implementation of an internal control system at the EDPS”, Internal Control Standard 11, Document Management
- Records management Policy of the EDPS, December 2015.
- Council Regulation (EEC, EURATOM) NO 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community.
- Council Regulation (EC, EURATOM) No 1700/2003 of 22 September 2003 amending Regulation (EEC, Euratom) No 354/83 concerning the opening to the public of the Historical archives of the European Economic Community and the European Atomic Energy Community.
- Council Regulation (EU) 2015/496 of 17 March 2015 amending Regulation (EEC, Euratom) No 354/83 as regards the deposit of the historical archives of the institutions at the European University Institute in Florence.

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

All EDPS members and staff on a need to know basis

Fabasoft staff on a need to know basis in the frame of contractual arrangements for operational support

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

The CMS has a module for the implementation of the retention periods established per each category of files in the EDPS retention schedule. The schedule, prepared in cooperation with all teams and the DPO, sets out the retention periods per case file type on the basis of the administrative, legal and financial usefulness.

The retention period of the personal data contained in the documents is also defined in the notifications of the operational processes supported by those documents.

The EDPS retention schedule also indicates the subsequent actions at the end of the administrative retention period on the basis of the potential historical value of documents and files. These actions include elimination, sampling or selection and long term preservation of the documents and cases identified as archives.

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)

Duly justified requests will be handled within 15 working days.

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

The long term preservation of documents and files with administrative, legal or historical value is necessary to comply with the Archives Regulation.

A selection process takes place to separate the documents that have to be preserved from those with no administrative or historical value at the end of their administrative retention periods as fixed by the EDPS Retention Schedule. Personal data contained in the documents will also be assessed in this context so as to only retain data of historical value, where archiving purposes cannot be fulfilled by processing data which do not permit or no longer permit the identification of data subjects.

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

NA

16/ FURTHER INFORMATION

NA

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

BRUSSELS, 12.07.2017

The Controller: LUISA PALLA