

REGISTER NUMBER: 472

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 26/01/2009

Case number: 2009-073

Institution: ECDC

Legal basis: article 27-5 of the regulation CE 45/2001⁽¹⁾

(1) OJ L 8, 12.01.2001

INFORMATION TO BE GIVEN⁽²⁾

(2) Please attach all necessary backup documents

1/ Name and address of the controller

Jessica Mannheim, Head of Human Resources Section. Tomtebodavagen 11 A, SE 17183 Stockholm,
Jessica.Mannheim@ecdc.eurpa.eu

2/ Organisational parts of the institution or body entrusted with the processing of personal data
Human Resources Section is responsible for filing the documents into the individual personnel files.

3/ Name of the processing

Personnel files

4/ Purpose or purposes of the processing

Comply with Staff Regulations (SR) and Conditions of Employment of Other Servants (CEOS).
Management of the human resources of ECDC.

5/ Description of the category or categories of data subjects

Personnel files exist for all Temporary Agents, Contract Agents, Seconded National Experts, and Trainees.
Data is collected from the data subject or from other institutions or agencies of EC in case of previous/following employment.

6/ Description of the data or categories of data *including, if applicable, special categories of data (article 10) and/or origin of data)*

Personnel files contain all personal documents submitted by the person before, on and after taking up duty, including data on family members if applicable, documents regarding Salary entitlements, Career, Medical and JSIS, End of service, Swedish ID cards, external activities requests.

Part of the personnel information is stored in SAP (e.g. identification information on staff members and family members, contract duration, etc.).

Documents are dated, numbered (by stamping) and signed. They are kept in hard copies and in electronic files. Key documents are scanned and kept in electronic format. Consultation of files is restricted to HR staff only.

Complementary information and documentation is continuously added.

Categories of personal data whose processing is prohibited, with exceptions, by Regulation 45/2001 may include data revealing racial or ethnic origin (e.g. photos), revealing religious or philosophical beliefs (e.g. switch of holiday), concerning health (including disabilities), concerning sex life (e.g. name of partner).

Data likely to present specific risks may include data relating to suspected offences, criminal convictions or security measures (e.g. police certificates, sworn affidavit of no criminal record) and data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct).

Other categories of personal data include data in the form of personal identification numbers, data concerning the physical characteristics of the person (photograph and statement of gender), concerning pay, allowances and bank accounts, concerning recruitment and contracts, concerning the data subject's family, concerning the data subject's career, concerning leave and absences, concerning traveling on taking up duty and on termination of service, concerning Social Security and pensions, concerning expenses and medical benefits, concerning telephone numbers and communications, statement of military obligation where applicable, proof of medical checks (prior to entry into service and annual medical checks, both certifying to be fit for work without any other details).

For a full list of documents present in the Personnel Files please refer to **Annex 1**.

7/ Information to be given to data subjects

An accurate privacy statement and personal data protection notice have been developed and are present on ECDC website

8/ Procedures to grant rights of data subjects (*rights of access, to rectify, to block, to erase, to object*)

The Controller (Head of Human Resources Section) may be contacted at any time by the data subjects for exercising the right of access, to rectify, to block, to erase, to object basic contact details information.

However, personal data giving right to benefits and allowances, and data relating to the subject's history at ECDC can only be accessed, complemented and updated and the previous data will be kept.

9/ Automated / Manual processing operation

Processing of data is partly automated (through SAP), partly non-automated and form part of filing systems (e.g. excel lists). Most documents are manually processed through structured set of physical files and paper forms.

10/ Storage media of data

Personnel Files are stored in a locked fireproof cupboard in a locked Archive room, as well as electronically and partly in SAP

11/ Legal basis and lawfulness of the processing operation

Legal basis (Treaty, Regulation, Decision, etc.) for this processing operation are:

- Staff Regulations (SR), art 26
- Conditions of Employment of Other Servants of the European Community (SR), art 11 and 81

Moreover the processing operation meets a functional need of the service.

12/ The recipients or categories of recipient to whom the data might be disclosed

HR team members are responsible for filing the received documents into the individual personnel files. Some documents are transferred to the Swedish Ministry of Foreign Affairs (to issue ID cards), to the European Commission (including PMO), to the Medical Service Clinic, to national tax authorities, to Eurostat and to national EU representations, and to a limited extent to one relocation contractor. For a complete list of documents transferred to other institutions/bodies please refer to **Annex 2**

13/ retention policy of (categories of) personal data

ECDC Data Retention Time-Limit policy is currently being drafted and is expected to be adopted by the Director of the Centre in 2009.

13 a/ time limits for blocking and erasure of the different categories of data

(on justified legitimate request from the data subject)

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

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,

Data are not kept for further historical, statistical or scientific purposes.

15/ Proposed transfers of data to third countries or international organisations

No transfer of data to third countries or international organisations is envisaged

16/ The processing operation presents specific risk which justifies prior checking (*please describe*):

The processing operation Personnel Files presents specific risks as it may include data relating to suspected offences, criminal convictions or security measures (e.g. police certificates, sworn affidavit of no criminal record) and data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct) giving right to allowances and benefits (e.g. travel expenses, probation period report, staff development reports, promotions)

Finally the data processing operation may concern highly sensitive data (e.g. contracts of property, death and birth certificates, religious beliefs, sex life, health, salary). For a full list of documents present in the Personnel Files please refer to **Annex 1**.

AS FORESEEN IN:

X Article 27.2.(a)

Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

X Article 27.2.(b)

Processing operations intended to evaluate personal aspects relating to the data subject,

X Article 27.2.(c)

Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,

Article 27.2.(d)

Processing operations for the purpose of excluding individuals from a right, benefit or contract,

Other (general concept in Article 27.1)

17/ Comments

PLACE AND DATE: Stockholm (Sweden), 23/01/2009

DATA PROTECTION OFFICER: Elisabeth Robino

INSTITUTION OR BODY: European Centre for Disease Prevention and Control (ECDC)