

(To be filled out in the EDPS' office)
REGISTER NUMBER: 1048

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NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 26/06/2013

CASE NUMBER: 2013-0732

INSTITUTION: EIGE

LEGAL BASIS: ARTICLE 27-5 OF THE REGULATION CE N° 45/2001⁽¹⁾

INFORMATION TO BE GIVEN²

1/ NAME AND ADDRESS OF THE CONTROLLER

EUROPEAN INSTITUTE FOR GENDER EQUALITY (EIGE)
HUMAN RESOURCES
GEDIMINO PR. 16
LT-01103 VILNIUS
LITHUANIA

2/ ORGANISATIONAL PARTS OF THE INSTITUTION OR BODY ENTRUSTED WITH THE PROCESSING OF PERSONAL DATA

Administration Unit,
Head of Administration Unit - Luigi Sandrin, Luigi.Sandrin@eige.europa.eu

3/ NAME OF THE PROCESSING

Anti-harassment and aspects of confidentiality

4/ PURPOSE OR PURPOSES OF THE PROCESSING

To documented harassments claims and ensure confidentiality within established practices.

¹ OJ L 8, 12.01.2001.

² **Please attach all necessary backup documents**

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

Temporary agents, contract agents, seconded national experts and trainees.

6/ DESCRIPTION OF THE DATA OR CATEGORIES OF DATA (*including, if applicable, special categories of data (Article 10) and/or origin of data*).

Reports on cases brought to the attention of one of EIGE's confidential counsellors and recorded by the designated confidential counsellor co-ordinator.

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

Staff members are made aware that their claims remain confidential unless they wish to make them public.

The policy is available to all staff members on the Intranet.

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

The data subject rights will vary dependant on the case and the procedure (informal, formal) that is taking place.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

Processing operation is automated. The confidential counsellor co-ordinator keeps a confidential register in the form of excel file of cases and case details for the confidential counsellors.

10/ STORAGE MEDIA OF DATA

Documents in electronic format are stored on EIGE's local server as designated by the confidential counsellor co-ordinator.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

Article 5(a) of the Regulation.

Article 11 of the Conditions of Employment of Other Servants (CEOS)

EIGE's decision on the policy on protecting the dignity of the person and preventing psychological harassment and sexual harassment.

Article 5(d) of the Regulation.

The harassment claims are processed with the "unambiguous consent" of the data subject.

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

Upon consultation with the staff member concerned the data may be shared with the Director, management, the Staff Committee or the HR officer on a case by case basis.

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

There is no retention policy in place yet.

13 A/ TIME LIMIT TO BLOCK/ERASE ON JUSTIFIED LEGITIMATE REQUEST FROM THE DATA SUBJECTS

Not applicable.

(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.

No identifiable data will be kept longer than the specified period.

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

No identifiable data shall be transferred to third countries other than the requested by the treaties on the functioning of the European Union.

16/ THE PROCESSING OPERATION PRESENTS SPECIFIC RISK WHICH JUSTIFIES PRIOR CHECKING *(Please describe):*

AS FORESEEN IN:

1 Article 27.2.(a)

The special categories of data (data concerning health or sex life of the data subjects) could be processed during collection of information.

17/ COMMENTS

This notification is an ex-post prior check (the policy is in place and confidential councillors are nominated but no harassment cases yet).

The confidential counsellors are appointed by the Director after internal consultations with HR officer and Staff Committee. No formal selection procedures and applications are in place.

List of Annexes:

Annex 1 – Commission approved EIGE’s decision on the policy on protecting the dignity of the person and preventing psychological harassment and sexual harassment.

PLACE AND DATE: VILNIUS, 26 JUNE 2013

DATA PROTECTION OFFICER: RAMUNAS LUNSKUS, RAMUNAS.LUNSKUS@EIGE.EUROPA.EU

INSTITUTION OR BODY: EUROPEAN INSTITUTE FOR GENDER EQUALITY (EIGE)