

To be filled out in the EDPS' office

REGISTER NUMBER: 1410

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 15/11/2016

Case number: 2016-1052

Institution: GSA

Legal basis: Article 27-5 of the regulation CE 45/2001

INFORMATION TO BE GIVEN(2)

(2) Please attach all necessary backup documents

1/ Name and adress of the controller

European GNSS Agency, Janovskeho 438/2, 170 00 Prague, Czech Republic.

2/ Organisational parts of the institution or body entrusted with the processing of personal data

Security Department

3/ Name of the processing

Closed circuit television (CCTV) systems in the GSA headquarters building

4/ Purpose or purposes of the processing

The purpose of the processing is the security and safety of people entering the GSA headquarters building (i.e. all types of GSA staff and visitors), the security of the building, and the security and safety of the property and information located or stored on the GSA headquarters building.

For this purpose, cameras film the immediate surroundings of the headquarters building, its entries, the corridors inside the building, open areas and certain rooms (usual or potential access points or places considered at risk). Internal space of offices are not filmed.

5/ Description of the category or categories of data subjects

Any person recognisable directly or indirectly from images of the CCTV system of GSA captured in indoor and outdoor spaces of the GSA headquarters:

- All GSA staff;
- Visitors; passers-by in close vicinity of the building.

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

Images of persons captured in live monitoring or stored in video-footage records of the CCTV system of GSA from which individuals are recognisable in a direct or indirect way (e.g. identification from images in combination with other information).

7/ Information to be given to data subjects

On the spot notices will be placed at indoor (in English) and outdoor spaces (Czech) captured by the CCTV system. A specific privacy statement on CCTV systems at GSA headquarters is available at GSA reception. It can also be provided on request to cctv@gsa.europa.eu. Furthermore, the privacy statement will be available on the GSA Intranet.

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

- Data subjects have the right of access their personal data. Requests shall be addressed to the Head of Security Department at cctv@gsa.europa.eu.

Any person wishing to obtain information regarding the recorded images and to check that the filming and the conservation of the images is legal may also send a request to access the personal data to the email address above.

However, the right of access shall be strictly limited by the protection of the personal data of third parties who also appear in these images. Therefore, if it is not possible to isolate the images in which the requester appears alone, using standard means and without a disproportionate investment with regard to the importance of the images sought, the requester is informed of the technical reasons making it impossible to provide the images.

Data subjects have the right of deletion and rectification of their personal data. The right of rectification also materialises into the deletion of the personal data. Requests shall be addressed to the Head of Security Department at cctv@gsa.europa.eu provided that the images do not constitute objective evidence in the event of an offence, unless there are unforeseen technical obstacles.

Requests shall be dealt with within 15 days from the receipt of the request and, if possible, a response shall be provided within that period. In technically complex cases, the access authorisation shall be issued within 90 days from the receipt of the request, unless any of the preventing factors described above are present.

- Data subjects are entitled to lodge an appeal at any time with the EDPS at edps@edps.europa.eu should they consider that the processing operations do not comply with Regulation (EC) 45/2001.

9/ Automated / Manual processing operation

Both, but mainly automated. Manual processing shall only be done in case of investigation of a security incident.

10/ Storage media of data

Dedicated network, limited for security systems of the headquarters, for registering into dedicated hard disk. The hard disk is stored in the protected Secure Area of the headquarters, with extremely limited access rights (both for physical and software access to the disk).

11/ Legal basis and lawfulness of the processing operation

- Article 5 of Commission Decision (EU, Euratom) 444/2015 of 13 March 2015 on the security rules for protecting EU classified information.
- Czech Law no. 101/2000Sb on the protection of personal data, dd 04/04/2000.
- Czech law n° 412/2005 Sb on the protection of classified information, dd 21/09/2005.

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

- Personal data are accessible only to a limited number of people designated on a need-to-know basis so they can carry out their duties within the GSA.
- European Commission Security Directorate, in case of investigation of a security incident; recorded images would be used in order to establish facts and/or to identify person/s involved;
- GSA Central Security Office staff: if an offence is committed, or if behaviour or other elements are observed that suggest that an offence is about to be committed that could endanger persons, property or information, the recorded images may be used in order to identify the offender, the victims or the witnesses, but also to establish the facts;
- External provider of guarding services (contractor): its staff, who is on duty on 24/7 basis at the GSA headquarters Security Centre, has permanent access to “live” cameras, thus monitoring immediate state of the headquarters security and safety; they can access the recordings in order to provide proper assessment of the situation in the guarded perimeter;
- Czech authorities: in the event of a crime or offence discovered while or immediately after being committed, or at the formal, legally justified request of those authorities.

13/ retention policy of (categories of) personal data

GSA headquarters are in a building property of the Czech Ministry with high security measures. Furthermore, a high volume of EU Classified Information is handled at the GSA. Due to the sensitive nature of the tasks carried out and of the information managed, images recorded from CCTV systems are kept for a period of 1 month from the day they are recorded. Recorded images are automatically deleted following the expiration of this period. One month is considered to be a reasonable time limit for holding recorded images taking into account that requests from judicial authorities and/or the police for access to recorded images as part of an inquiry launched after an offence is committed takes generally a certain amount of time, due to the strict application of the procedures. The one month period is set by analogy with the Belgian law of 21 March 2007 governing the installation and use of surveillance cameras (Article 6(3)).

If a security incident occurs and it is determined that the recordings are necessary to further investigate the incident or use the recordings as evidence, the relevant footage may be retained beyond the a/m period for as long as it is necessary for these purposes. Thereafter, they shall also be erased.

The GSA holds a register in electronic form to keep track of any recording that is retained beyond the normal retention period, indicating at least the following data: the date and time of the footage and camera location, a short description of the security incident, the reason why the footage needs to be retained, the expected date of the review of the necessity to retain the footage any longer.

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)

15 days from the receipt of the 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,

No

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

No

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

AS FORESEEN IN:

Article 27.2.(a)

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

Yes

Article 27.2.(b)

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

No

Article 27.2.(c)

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

No

Article 27.2.(d)

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

No

Other (general concept in Article 27.1)

17/ Comments

This is an ex-post notification drafted following the EDPS video-surveillance guidelines. However, this notification deviates from the guidelines on the retention period of personal data. One month retention period is considered adequate (instead of the week recommended by the guidelines for security purposes) due to the sensitive nature of the EU Classified Information handled at GSA.

Please note that no policy CCTV has been implemented yet at GSA. Such policy will be adopted in the future following the recommendation in the EDPS video-surveillance guidelines.

PLACE AND DATE:

DATA PROTECTION OFFICER: Triinu Volmer

INSTITUTION OR BODY: European GNSS Agency