

**REGISTER NUMBER:**

**NOTIFICATION FOR PRIOR CHECKING**

Date of submission:

Case number:

Institution: Frontex

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

(1) OJ L 8, 12.01.2001

**INFORMATION TO BE GIVEN<sup>(2)</sup>**

(2) Please attach all necessary backup documents

1/ Name and address of the controller

Jose Carreira, Administration Division Director, Frontex, rondo ONZ, 00124 Warsaw, Poland

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

Directorate of Administration; Legal Affairs Unit

3/ Name of the processing

**Administrative inquiries and disciplinary procedures**

4/ Purpose or purposes of the processing

1) Follow up by the Appointing Authority, as appropriate, on staff members' failure to comply with their obligations under the Staff Regulations / CEOS, in accordance with Article 86 of the Staff Regulations ; 2) Enable staff members to have the necessary information to exercise their rights as data subjects

5/ Description of the category or categories of data subjects

Staff members (TA, CA) and SNE (by analogy)

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

Data likely to be found in the course of an administrative inquiry or disciplinary procedure; prohibition, in principle, of processing special categories of data according to Article 10(1) of the Data Protection Regulation, except in the circumstances mentioned in the EDPS guidelines on the processing of personal data in administrative inquiries and disciplinary proceedings by EU bodies, para.2 " Processing of special categories of data"

7/ Information to be given to data subjects

Is provided in Frontex draft rules : see the special heading about data protection (part IV) ; In addition, related provisions have also been inserted in the content of most Articles in Parts II and III

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

Is provided in Frontex draft rules : see the special heading about data protection (part IV) ; In addition, related provisions have also been inserted in the content of most Articles in Parts II and III

9/ Automated / Manual processing operation

Manual

10/ Storage media of data

Paper files, may be digital media

11/ Legal basis and lawfulness of the processing operation

Article 86 and Annex IX to the Staff Regulations; Article 110 of the Staff Regulations; Articles 49, 50 and 119 CEOS

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

Directorate of Administration; Legal Affairs Unit; Executive Director, Deputy Executive Director

13/ retention policy of (categories of) personal data  
Article 29 of the draft rules

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)*  
As appropriate

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,*  
Not envisaged so far

15/ Proposed transfers of data to third countries or international organisations  
No transfers

16/ The processing operation presents specific risk which justifies prior checking (*please describe*):  
As foreseen in EDPS guidelines on the processing of personal data in administrative inquiries and disciplinary proceedings by EU bodies, paragraph 2 " Processing of special categories of data"

AS FORESEEN IN:

Article 27.2.(a)

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

Article 27.2.(b)

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

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

18/ Measures to ensure security of processing (3)

*Please check all points of Article 22 of Regulation (EC) 45/2001.*

*(3) Not to be published in the EDPS' Register (article 27.5 of Regulation (EC) 45/2001)*

Premises in which personal files are stored are protected ; only Head of HR has the key.

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PLACE AND DATE: Warsaw 23 November 2010  
DATA PROTECTION OFFICER: Sakari Vuorensola  
INSTITUTION OR BODY: Frontex

*To be filled out in the EDPS' office*



**EDPS OPINION**

**Of date:**

**Case number:**

**Follow up***(in case of acting measures to be taken)*