

REGISTER NUMBER: 3

NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 16 JULY 2004

CASE NUMBER: 2004-96

NOTIFICATION OF: EUROPEAN COMMISSION

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

INFORMATION TO BE GIVEN²

1/ NAME AND ADDRESS OF THE CONTROLLER

KARL-JOHAN LONNROTH
DIRECTOR GENERAL - DGT
BRUSSELS

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

JEAN LOUIS COBBAERT
DGT DIRECTORATE C UNIT 4
BRUSSELS

3/ NAME OF THE PROCESSING

Work intensity (Rythme de travail des traducteurs)

¹ OJ L 8, 12.01.2001.

² **Please attach all necessary backup documents**

4/ PURPOSE OR PURPOSES OF THE PROCESSING

This is in the framework of the 2003 CDR (Career development Review) of staff appraisal. The purpose is to give the evaluators (heads of units) an overview of the performances by their own unit members, focussing on the work intensity (productivity).

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

Translators in DGT in 2003 (some 1200 officials).
In 2003 the only translators were Commission officials (LA).
At any rate, non-officials are not concerned by the CDR exercise and hence such data would not have been produced for non-officials.

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

- The main source is SUIVI, a DGT application where translators can access their own data (translated pages, presences etc.). SUIVI is to be notified separately; its notification is ongoing.
- Number of pages translated (various forms) in 2003,
- Days of presence

Turned into three main indicators (of the type work-done/time-at-work); the indicators differ in the way the time at work is computed. Work done is a weighted sum of various actions (translations, revisions etc.)

The tables were rather small.

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

Heads of units were requested to show each unit members his/her own data. For this purpose, each head of unit received, along with the unit table, a table for each translator (a summary table plus a list of all actions carried out).

Also, heads of units explained the purpose of the data collation (there was no direct collection). There were no provisions to inform users directly and explicitly of their rights. Translators in DGT, however, are systematically informed of their rights and obligations by their representation with the management, the DPT (elected representation of translators). The DPT participated in the definition of this exercise.

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

Translators who were unhappy contacted the head-of-unit who undertook the necessary corrective action; this implied correcting data at the source; this correction is typically carried out within the unit, by unit secretaries (production data can only be corrected via the SUIVI application. Its input is decentralised by unit).

Moreover, this exercise (rythme de travail) was steered by a working group. The DPT participated in all working group meetings leading to the drafting of the tables per unit. The DPT is the official mean of the communication between the DGT management and the translators in DGT.

However, the data subjects were not directly explicitly informed of their rights as to the data.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

Automated processing operation only.

The data was extracted from several sources and collated into indicators:

- SUIVI: Production (TRA/REV/RSE/RSO/PER) and quality control (REI/LEC/REX/EVA), in terms of translated-page-equivalent
- SIC-Per: unit of the translator
- SIC-Congé: leave days
- SIC-Temps: absences due to other activities, such as training

Tables per unit were produced as a "one-off". The unit tables was sent in a pdf file to the head-of-unit. It was never stored. There was also an introductory "general notice" providing keys to interpret the statistics and underlining their limited extent and the need to interpret them carefully.

"unit-level-summary" providing a global view over all translators within the unit.

"Translator's individual data": this included specific indicators for the translator and a list of all actions (translations, revisions etc.) carried out in the reference year (2003).

The tables were never registered under Adonis. The sent-e-mail messages containing them were erased.

10/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

Treaty and staff regulations, art 43 calling for a yearly staff assessment, and the DGE (general implementing provisions) whose art 8 allows the Director General to adapt the appraisal standards within the DG.

The CDR is a mandatory exercise, with a view to improving overall staff productivity. The indicators help ensure that the CDR assessments are on a consistent and objective basis.

The indicators allow each head-of-unit to apply coherency by appraising staff members (translators) against one commonly defined indicator. In this way the whole corps of translators in DGT is assessed on the basis of a coherent measure. This is a necessary step to ensure that assessments are as objective and comparable as possible.

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

Recipients of the Processing:

Heads of translating units (42 in 2003) since they had the duty of assessing their unit members.

In some cases the Heads-Of-Units forwarded the data to the heads of Linguistic departments (a step right below "director"). These are the CDR Countersigning Officers for the translators and had to access certain cases.

Categories of recipients:

Translators (own individual data) head of unit (unit table) head of linguistic department (4-6 unit tables each).

12/ GENERAL INDICATION OF THE TIME LIMITS

FOR BLOCKING: -----

AND/OR

FOR ERASING: -----

OF THE DIFFERENT CATEGORIES OF DATA (*Please, specify the time limits for every category, if applicable*)

The table loose their interest at the end of the CDR.

Hence, the heads of unit have been requested to erase all copies of the data by unit. Individual translators may have kept their own personal copies (of their own data).

The source data is kept and visible under several applications, mainly SUIVI. For the moment, historical data is kept visible. SUIVI's notification is ongoing.

13/ 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.

For the moment, historical data is kept visible. SUIVI's notification is ongoing.

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

Not applicable

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

Collect, store and process individual indicators of productivity for the Career Development Review. It does fall under article 27 (para 2.b).

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The indicators allow each head-of-unit to apply coherency by appraising staff members (translators) against one commonly defined indicator. In this way the whole corps of translators in DGT is assessed on the basis of a coherent measure. This is a necessary step to ensure that assessments are as objective and comparable as possible.

AS FORESEEN IN:

↑ 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,

↑ 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)

16/ COMMENTS

The only people who received the data were the translators (their own data) and the head-of-translating-units (data on all translators in their own unit).

The data was never published, rather sent by e-mail to the heads of translating units; these were requested to send the individual data to individual translators in their own units.

The data was not stored anywhere. However its sources are stored in several accessible applications and could be put together again. The notifications for these applications are in progress.

PLACE AND DATE: LUXEMBOURG, 16 JULY 2004

DATA PROTECTION OFFICER: DIETER KONIG

INSTITUTION OR BODY: EUROPEAN COMMISSION