

REGISTER NUMBER: 32

NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 26 MAY 2005

CASE NUMBER: 2004/269

NOTIFICATION OF: EUROPEAN OMBUDSMAN

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

INFORMATION TO BE GIVEN²

1/ NAME AND ADDRESS OF THE CONTROLLER

**The European Ombudsman
1, Avenue Du Président Robert Schuman
F - 670001 Strasbourg**

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

Administrative department of the European Ombudsman

3/ NAME OF THE PROCESSING

RECORD OF SICK LEAVE OF STAFF AND TRAINEES

¹ OJ L 8, 12.01.2001.

² **Please attach all necessary backup documents**

4/ PURPOSE OR PURPOSES OF THE PROCESSING

Checking of absences and staff management.

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

The staff + trainees of the European Ombudsman's Secretariat including former staff 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*).

List of absences for sick leave per staff member. Differentiation of periods of sick leave with or without medical certificate. When available a copy of the medical certificate is included.

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

The data subject is informed of the rights he has in relation to his personal files through the provisions of the staff regulations and rules applicable to other servants of the European communities.

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

The consultation of the data subject's own file is granted in the premises of the European Ombudsman.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

Automated counting of the number of absences per category
(with or without medical certificate).

10/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

Article 59 of the Staff Regulations and Rules applicable to
officials and other servants of the European Communities.

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

The European Parliament : until 1 January 2006, the European
Parliament will be in charge of managing the European Ombudsman's sick
leave record. After this date the record will be managed solely by the
European Ombudsman.

Overall statistics based on the sick leave record may be disclosed to
the budget authority upon request.

12/ GENERAL INDICATION OF THE TIME LIMITS

FOR BLOCKING: **NO LIMIT**

AND/OR

FOR ERASING: **NO LIMIT**

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

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.

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

No transfer

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

AS FORESEEN IN:

í 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,

í Article 27.2.(c)

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

í Article 27.2.(d)

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

í Other (general concept in Article 27.1)

16/ COMMENTS

The data kept by the European Ombudsman is, until 1 January 2006, a copy of the data kept and processed for the European Ombudsman by the European Parliament. In 2006 the European Ombudsman will take over this task.

PLACE AND DATE: STRASBOURG 18.05.2005

DATA PROTECTION OFFICER: ALESSANDRO DEL BON

INSTITUTION OR BODY: EUROPEAN OMBUDSMAN