THE DPO WEBSITES AND

THE INFORMATION SYSTEM (IS) NDPO&R

TRAINING SUPPORT

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(*) Action: I=Insert, R=Replace, D=Delete

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TABLE OF CONTENTS

1 INTRODUCTION

1.1 PURPOSE OF THIS DOCUMENT

The goal of this document is to offer a support to the training of the NDPO&R IS. This training is dedicated to the users of the IS: Controllers, Delegated Controllers and the Data Protection Co-ordinators. It contains two parts. The first one contains explanations of the IS behaviour. The second part of the document contains exercises to make the students able to use the IS on their own in the future.

2 TRAINING SUPPORT

2.1 INTRODUCTION

2.1.1 PRESENTATION OF SWORD TECHNOLOGIES

(Nico Hilbert)

2.1.2 DEFINITION OF A NOTIFICATION

WHY IS IT ON-LINE?

DEFINITION OF THE REGISTER

SOME BASICS ON DATA PROTECTION

(Nico Hilbert)

2.1.3 OBJECTIVE OF THE INFORMATION SYSTEM NDPO&R

The goal of the IS is on one side, to manage notifications and the register; on the other side, to provide an access to anybody to information concerning the processing and protection of personal data of the institution.

2.2 GLOBAL PRESENTATION OF THE DPO WEB SITES

2.2.1 PUBLIC PART

The public part of the site is dedicated to all the people who want to access to the register and to be aware about the legal framework of personal data protection. This part of the site is accessible from Europa and from Intracomm although having different contents. This part, called the DPO Web site, contains all the links to access global information and to access to a view of the register. When using the Intracomm DPO Web site, an additional link is available; it redirects registered users to the NDPO&R IS.

2.2.1.1   DPO WEB SITES ON EUROPA AND INTRACOMM

(Nico Hilbert)

2.2.1.2   REGISTER ACCESS AND REQUEST TO THE CONTROLLER

The Register of the Data Protection Officer contains notifications that have been validated and entered by the controllers. This part of the web site displays a list of these notifications to any user. It does not display all the fields of the notifications, but only a selection of them as it is defined in article 25.2 of Regulation no 45/2001.

A search can be done through the register to retrieve only the interesting notifications corresponding to specified criteria. These criteria are based on a search through the following fields:

- Name of processing,

- Purpose of processing.

The possibility to filter the notifications displayed by DG is also offered to the user. If a DG is selected, search operations will be done in this DG.

From a displayed notification, it is possible to ask to the controller who owns this notification more information. This can be done using a form. This form is different depending on the used web site.

From Europa, a user must fill-in more information to make the controller able to answer him.

From Intracomm, it is easier to retrieve information, as all internal people's data are stored in directories.

In the table below, you can see which fields are used depending of the web site:

Field	Europa	Intracomm
First name	X $^{(m)}$	X $^{(m)}$
Last name	X $^{(m)}$	X $^{(m)}$
Email	X	X
Question to the controller of the notification	X $^{(m)}$	X $^{(m)}$
Address	X $^{(m)}$	
Postal code	X $^{(m)}$	
City	X $^{(m)}$	
Country	X $^{(m)}$	

$^{(m)}$ Indicates that the field is mandatory.

2.2.1.3   INDEXED VERSION OF THE REGULATION 45/2001

The entire text of the Regulation no 45/2001 can be viewed in the NDPO&R IS.

<div align="center">

Notification to the Data Protection Officer

</div>

FR
DE

>IntraComm > Data Protection Officer > Notification to the Data Protection Officer

> M E N U >

32001R0045

Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
Having regard to the Treaty establishing the European Community, and in particular Article 286 thereof,
Having regard to the proposal from the Commission(1),
Having regard to the opinion of the Economic and Social Committee(2),
Acting in accordance with the procedure laid down in Article 251 of the Treaty(3),
Whereas:

(1) Article 286 of the Treaty requires the application to the Community institutions and bodies of the Community acts on the protection of individuals with regard to the processing of personal data and the free movement of such data.

(2) A fully-fledged system of protection of personal data not only requires the establishment of rights for data subjects and obligations for those who process personal data, but also appropriate sanctions for offenders and monitoring by an independent supervisory body.

(3) Article 286(2) of the Treaty requires the establishment of an independent supervisory body responsible for monitoring the application of such Community acts to Community institutions and bodies

(4) Article 286(2) of the Treaty requires the adoption of any other relevant provisions as appropriate.

(5) A Regulation is necessary to provide the individual with legally enforceable rights, to specify the data processing obligations of the

Figure 1: Indexed version of the Regulation no 45/2001.

All references to texts external to Regulation 45/2001 are represented by links to the entire referenced texts.

For instance, the Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995, referenced in point 6 of the introduction of the Regulation 45/2001, can be viewed in a pop-up window by clicking on the link 'Directive 95/46/EC'.

Also the different articles referenced in other articles of Regulation 45/2001 can be viewed in a pop-up window. For example, the articles 4, 5 and 10 referenced in article 6 can be viewed in a pop-up window, by clicking on the link represented by the number of the referenced article. This is also possible for specific referenced articles in other legislation.

Article 5

Lawfulness of processing

Personal data may be processed only if:
(a) processing is necessary for the performance of a task carried out in the public interest on the basis of the Treaties establishing the European Communities or other legal instruments adopted on the basis thereof or in the legitimate exercise of official authority vested in the Community institution or body or in a third party to whom the data are disclosed, or
(b) processing is necessary for compliance with a legal obligation to which the controller is subject, or
(c) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract, or
(d) the data subject has unambiguously given his or her consent, or
(e) processing is necessary in order to protect the vital interests of the data subject.

Close

Figure 2: detailed view of article 5 referenced in article 6 of the Regulation no 45/2001.

2.2.2   RESTRICTED PART

2.2.2.1   OVERVIEW OF THE FORM QUESTIONS

The following table contains the list of the form questions:

Chapter/Question	Combo	Pick	Attachment
Chapter 1: Notification information			
1) Date of submission (Automatically filled-in)			
2) Name and first name of the controller Name and first name of the delegated controller	X X		
3) Title			

Chapter/Question	Combo	Pick	Attachment
4) Directorate, service or unit to which the controller is attached			
5) Directorate general to which the controller is attached			
Chapter 2: General description of the processing			
6) Name of the processing			
7) Description of the processing: Attention: Please describe in the answer to this question if you process personal data falling under article 27			X
8) Automated processing operation(s)			
9) Manual processing operation(s)			
10) Comments if applicable			
Chapter 3: Purpose of the processing			
11) Legal basis of the processing			
12) Lawfulness of processing: Answering this question please verify and indicate if your processing has to comply with articles 20 "Exemptions and restrictions" and 27 "Prior checking (by the EDPS)")			
13) Purpose(s) of the processing			X
Chapter 4: Main characteristic of processing and data			
14) Data subject(s) concerned			
15) As you are processing personal data			X
a) Which kind of communication(s) have you foreseen to inform the Data Subjects as described in articles 11 - 12 under 'Information to be given to the Data Subject'			
b) Which procedure(s) did you put in place to enable Data Subjects to exert their rights: access, verify, correct, etc., their Personal Data as described in articles 13 - 19 under 'Rights of the Data Subject'			
16) Category(ies) of data subjects			
17) Data field(s) of Data Subjects; Attention: Please indicate and describe in the answer to this question also data fields which fall under article 10			X

Chapter/Question	Combo	Pick	Attachment
18) Category(ies) of data fields of Data Subjects; Attention: Please indicate and describe in the answer to this question also categories of data fields which fall under article 10			
19) Storage media of data			
20) Recipient(s) of processing			
21) Category(ies) of recipients			
22 a) Retention of policy of (categories of) personal data			
22 b) Time limit to block/erase data on justified legitimate request from the data subjects			
22 c) 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			
Chapter 5: Responsible for processing and data			
23) Name and first name of the processor		X	
24) Title			
25) Directorate, service or unit to which the processor is attached			
26) Directorate general to which the processor is attached			
Chapter 6: Transfer of data			
27) Legal foundation of transfer: Only transfers to third party countries not subject to Directive 95/46/EC (Article 9) should be considered for this question. Please treat transfers to other institutions and bodies and to member states under question 20			
28) Category(ies) of Personal Data or Personal Data to be transferred			
Chapter 7: General description of security measures			
29) Nature and Category(ies) of Personal Data to be protected			
30) Nature of related processing to be protected			

Chapter/Question	Combo	Pick	Attachment
31) Technical measures to ensure level of security appropriate to the risks represented by questions 29 and 30 and to prevent any unauthorised disclosure or access, accidental or unlawful destruction or accidental loss, or alteration, and to prevent all other unlawful forms of processing. *This question is based on 10 sub-questions composed of a yes/no question and text area for description purposes.*			
32) Organisational measures to ensure level of security appropriate to the risks represented by questions 29 and 30 and to prevent any unauthorised disclosure or access, accidental or unlawful destruction or accidental loss, or alteration, and to prevent all other unlawful forms of processing. *This question is based on 10 sub-questions composed of a yes/no question and text area for description purposes.*			
33) Technical measures to safeguard the secure use of the telecommunications networks and terminal equipment, if necessary in conjunction with the providers of publicity available telecommunications services or the providers of public telecommunications networks (having regard to the state of the art and the cost of their implementation, these measures shall ensure a level of security appropriate to the risk presented			
34) Organisational measures to safeguard the secure use of the telecommunications networks and terminal equipment, if necessary in conjunction with the providers of publicity available telecommunications services or the providers of public telecommunications networks (having regard to the state of the art and the cost of their implementation, these measures shall ensure a level of security appropriate to the risk presented			
35) In the event of any particular risk of a breach of the security of the network and terminal equipment, the Community institution or body concerned shall inform users of the existence of that risk and of any possible remedies and alternative means of communication. Have you foreseen any such mechanism or procedure (Yes/No)? If Yes or No, please explain			
36) Do you publish / distribute / give access to one or more printed and/or electronic directories? Personal Data contained in printed and/or electronic directories of users and access to such directories shall be limited to what is strictly necessary for the specific purposes of the directory			
Chapter 8: Complementary information			
37) Complementary information to the different points if applicable			

2.2.2.2   THE NDPO&R INFORMATION SYSTEM

The NDPO&R Information System is a Web technology based Intranet application. Its access is restricted to application users.

The DPO can create user profiles to provide an access to the application, but the users' profiles are mainly created and managed by the DPCs when they create an entry in their Inventory of personal data processing inside their DG.

Based on his/her profile(s), a user can access more or less functionalities. For more information, please refer to the Access right of the different players.

2.2.2.3   USER INTERFACE

The user interface is a common Web based interface with some advanced features to make the application easier to use.

2.2.2.3.1   Notification form

The screen of a notification can be divided into 2 parts:

- The navigation part allows the user to browse the different chapters of a notification. To browse the notification, he/she can click on the text corresponding to the chapter he/she wishes to go to. The highlighted text (blue background) of the navigation part indicates in which chapter of the notification the user is positioned. In the image below, the user is positioned on chapter 1 of the   notification,

Fill in the different notification sections using the links hereunder ...

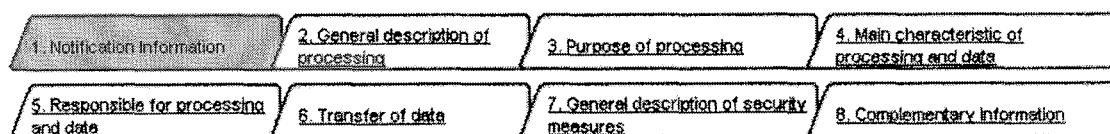| 1. Notification Information | 2. General description of processing | 3. Purpose of processing | 4. Main characteristic of processing and data |
| 5. Responsible for processing and data | 6. Transfer of data | 7. General description of security measures | 8. Complementary information |

Figure 3: Navigation part.

- The content part contains the questions of the notification chapter the user is positioned on. The screen shot below presents the questions of a notification positioned chapter 1,

[Save]

Notifications of processing operations on personal data are written in the Register of the Data Protection Officer. This Register is public. But not all fields of the Notification are published. Only the answer fields marked with internet explorer icon can be viewed by anybody accessing the Register of the Data Protection Officer on IntraComm or Europa.

1) Date of submission: will be automatically filled-in on send to the "controller"

2) Name and First Name of the Controller: [Select controller ▼] 🔲 🌐

Name and First Name of the Delegated   [Select delegated controller ▼]
Controller:

Ref.: Article 2: Definitions: Paragraph (d) "controller"
Ref.: Article 25: Notification to the Data Protection Officer: Paragraph 2(a).

3) Title: [   ] 🔲

4) Directorate, Unit or Service to which the   [   ] 🌐
Controller is attached: [   ] 🌐
                                          [   ] 🔲

5) Directorate General to which the Controller   [   ] 🔲
is attached:

[Save]

Figure 4: content part.

- It is possible to navigate through the different chapters by clicking on the 'Next' and 'Previous' buttons   placed   next   to   'Save'   buttons.

(<<) [Save] [Send the Notification] [Print Notification] (>>)
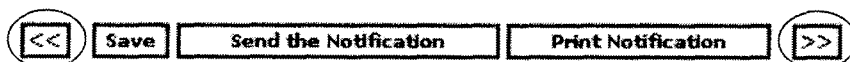
Figure 5: 'Next' and 'Previous' buttons.

In each content part of a notification the user can find 'Save' buttons on both top and bottom of the page.

Once he/she has answered a part of the questions, or all the questions of the chapter he/she is positioned on, he/she can click on this button to save the answers already given.

Information entered in the chapter he/she is positioned is also saved when he/she moves to another chapter of the notification, by clicking directly on the chapter name of the top menu, or by clicking on the 'Next' and 'Previous' buttons.

2.2.2.3.2 *The combo boxes*

The combo boxes offer closed choices between calculated values. These values come from queries from the DB, LDAP or defined list of values. On the following example, the combo box contains the list of available Delegated Controllers. The user just has to select the Delegated Controller. The system will automatically retrieve the id of the chosen Delegated Controller.
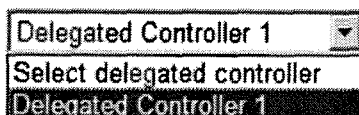
[Delegated Controller 1   ▼]
[Select delegated controller]
[Delegated Controller 1]

Figure 6: delegated controllers list.

2.2.2.3.3   Upload files

Some questions of a notification sometimes cannot be answered with a short sentence or a paragraph. These questions may be fully answered using already defined documents.

For these questions, the user is able to upload file(s) with the content of the answer. By this way, even long or structured answers can be stored.

In the figure below, the question 7 can be answered using the upload file(s) feature. The 'Upload files' functionality is represented by a link named 'Attachment(s)' placed under the concerned questions labels.

7) Description of Processing: Attention: Please describe in the answer to this question if you process personal data falling under article 27
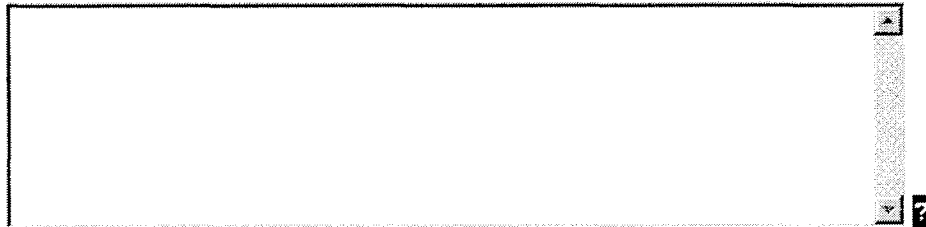
Attachment(s)

Figure 7: 'Attachment(s)' link.

This link gives access to a pop-up window displaying a file text box to attach documents to the question, and lists the documents already attached to the concerned question.

Notification 51.1

Attachments question 11

[_____] [Browse...]

[Attach File]

Attachments

No attachments ...

[Close]

Figure 8: Attachment(s) window.

To select a file on his/her local drives, the user can press the 'Browse' button and use the standard open dialog window. Once the file is selected, it will be transferred on the DPO site by clicking on the 'Attach File' button and linked with the notification in the Register. The name of file attached is displayed in the list under the file text box.

Notification 51.1
Attachments question 11

Figure 9: Attachment(s) list.

2.2.2.3.4 Help messages

Help messages are available on the different chapters of the notification. A question mark placed next to a question indicates that help is available for this question. By placing the mouse over the question mark, a message is automatically displayed, indicating to users how to fill the concerned question. By moving away the mouse from the question mark the help message automatically disappears.

Figure 10: on-line help example.

2.2.2.3.5 References to Regulation 45/2001

As the processing of personal data must be in-line with the Regulation 45/2001, each chapter of the notification gives access to the associated articles of the Regulation.

When a question of the notification has a direct reference to an article of the Regulation, the article title is displayed under the question. To view the entire referenced text, click on the article title.

6) Name of Processing:

Ref.: Article 2: Definitions: Paragraph (b) 'processing of personal data'.

Figure 11

The related article is displayed in a pop-up window.

2.2.2.3.6 *Fields published on the Internet*

To indicate to the user of the IS which fields will be published on the DPO Web Site when the Notification is in the Register, an Internet Explorer icon (📧) has been placed next to the text area containing the answer.

6) Name of Processing:

Figure 12: Internet Explorer icon indicating fields published on the DPO Web Site.

2.2.2.3.7 *Link between notifications*

For convenience reasons, it is possible to link notifications between them. This mechanism avoid to the user who fills-in the notification to repeat common parts. Two types of link exist.

The first one is used in the 2nd chapter (2. general description of the processing) and must be used when the user wants to create a sub-notification of an existing one. The link will be often used when specifying a system that is part of a global system.

The second type of link between notifications used in the 7th chapter (7.General description of security measures) is used when a notification can be correctly described using a generic notification.

How to create the link between the notifications?

When editing a notification, the user clicks on the 'link' button under the 'This notification is a sub-notification' in chapter 2 or 'This notification is linked to a generic notification' in chapter 7.

In chapter 2:

Fill in the different notification sections using the links hereunder ...

1. Notification Information	2. General description of processing	3. Purpose of processing	4. Main characteristic of processing and data
5. Responsible for processing and data	6. Transfer of data	7. General description of security measures	8. Complementary Information

Save

This notification is a sub-notification of:

Link ?

Figure 13: 'Link' button in the 2nd chapter.

In chapter 7:

Fill in the different notification sections using the links hereunder ...

1. Notification Information	2. General description of processing	3. Purpose of processing	4. Main characteristic of processing and data

5. Responsible for processing and data	6. Transfer of data	7. General description of security measures	8. Complementary Information

Security measures must be in line with the Security Policy(ies) and Regulation(s) applicable in the respective domains (administrative procedures, non-automated systems, automated systems (completely or partly) -information systems and applications, network, e-mail, operating system,directory(ies), etc.) at the Commission respectively Institutions.

Ref.: Article 22: Security of processing.
Ref.: Article 25: Notification to the Data Protection Officer; Paragraph 2(h).

The questions and answers of this chapter will not be published

[Save]

This notification is linked to a generic notification to cover questions 31 - 34. The Notification and Version number is:

[Link] [?]

Figure 14: 'Link' button in the 7th chapter.

A pop-up window containing all the register notifications is displayed.

Notification n°	Name of processing	Controller	Controller DG	Processor DG	Creation date	
☐ DPO-1.1	Generic notification on IT infrastructure	garcifr	ADMIN		10-Jul-03	view ►
☐ DPO-47.1	Commission Directory on Internet	bearfni	ADMIN		09-Mar-04	view ►
☐ DPO-59.1	DG ENTR IT Knowledge Base	legrast	SG	ENTR	04-Oct-04	view ►
☐ DPO-63.1	Enquêtes administratives et procédures disciplinaires internes de la Commission européenne	lierhen	ADMIN		23-Apr-04	view ►
☐ DPO-65.1	Management Promotion Programs (MPP)	sousajm	AGRI		22-Mar-04	view ►

1 2 3 4 5 6 7 8 9 Next

[OK] [Cancel]

Figure 15: Pop-up window displaying the notifications in the Register.

It is possible from this list, to select a notification, to view a notification, or to cancel the link creation. When a notification is chosen, its reference is displayed in the form.

This notification is a sub-notification of: Notification n° 1 : Generic notification on IT infrastructure

[Link] [Remove Link] [?]

Figure 16: Reference to the linked notification.

From this point, it is possible to remove the link or to replace the existing link by another one.

## 2.2.2.4   NOTIFICATION MODIFICATION (MODIFY/COMPLETE A DRAFT NOTIFICATION)

This functionality is available for all the users who are working on a notification and have not sent it yet. It displays a list of the notifications created by the DPCs from the Inventory Tool, and assigned to the logged-in user. The logged-in user, which is a Controller, a Delegated Controller or the DPC is allowed to:

- Display a read-only view of the notification (Using view ▶ (See 1)),

- Select the notification and modify it if it is in 'draft' status (Using / (see 2)),

- Delete the notification if it is in draft status (Using X (see 3)).

View/Modify/complete a draft notification

N°	Name of processing	Controller	Date	Recipient	Status
DPO-57.1	Gestion des Missions du personnel (y compris agences de voyages, compagnies de transport, hôtels, cartes bancaires et cartes de location de véhicules)	Controller 1 DG1	15-Feb-05		Draft / 1 view ▶
DPO-1191.1	Test Deleted Entry	Controller 1 DG1	28-Feb-05		Draft / view ▶
DPO-1166.1	Test SMTP messages for a Prior Advice	Controller 1 DG1	07-Jan-05		Draft 2 / X view ▶
DPO-1168.1	Testing the SMTP messages of the notification	Controller 1 DG1	10-Jan-05		Draft / X view ▶
DPO-1169.1	Testing the SMTP messages of this notification.	Controller 1 DG1	10-Jan-05		Draft / X view ▶
DPO-1167.1	Another test of SMTP messages in case of Prior Advice	Controller 1 DG1	07-Jan-05		Draft / X view ▶
DPO-1190.1	Test Generic Template - NICOLFR	Controller 1 DG1	11-Feb-05		Draft 3 / X view ▶
DPO-1199.1	DG FISH Fleet-Register	Controller 1 DG1	27-Jun-05		Draft / view ▶
DPO-1204.1	Test Bug Inventoy on Delegated Controller Update	Controller 1 DG1	18-Jul-05		Draft / view ▶
DPO-1198.3	New attachments method	Controller 1 DG1	30-Aug-05		Draft / view ▶

Figure 17: Modify/Complete a notification.

2.2.2.5   ADVICE ON A 'DRAFT' NOTIFICATION
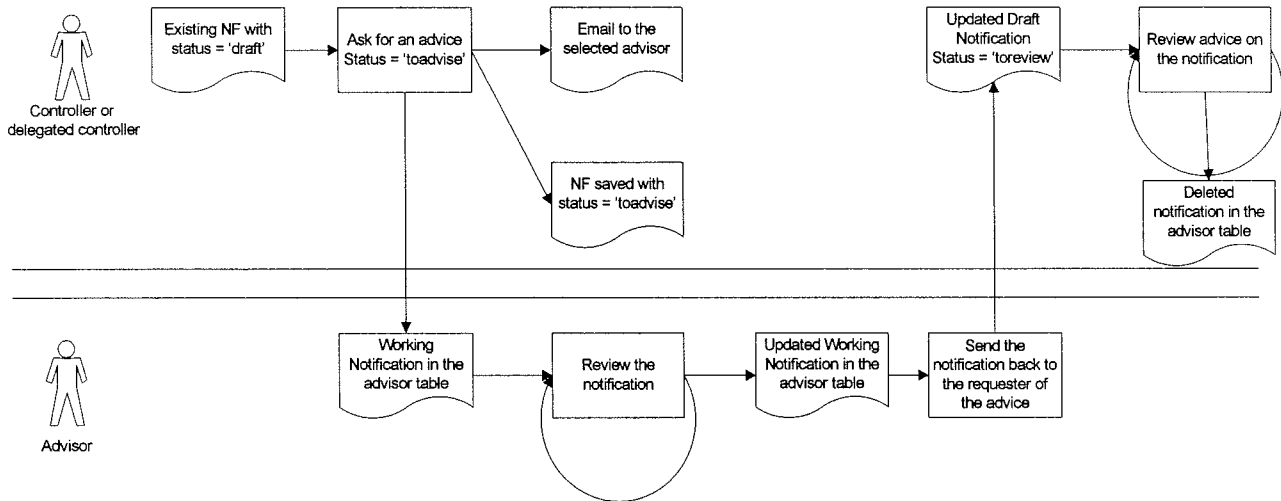
Figure 18: Advice on a draft notification workflow.

The advice on a draft notification can be asked by the person who is filling-in a notification, and can be answered by any person who will have the 'advisor' role. The advice can only be given on notifications that have the 'draft' status.

The person who is filling the notification selects a targeted user from the LDAP users' directory of the European Commission and requests for an advice from him. The selected person is warned by e-mail that someone asked him to give his opinion on a notification. The Notification is copied in the Advisor table with the 'TOADVISE' status. The person selected to give an advice can then log in, select the notification from the 'Advice on a draft notification' menu entry, and modify it before saving it and send it to the requester. The advised notification is saved in 'ADVISED' status in the Advisor table, and the Notification in the draft table status is changed to 'TOREVIEW'. The user who requested the advice on the Notification receives an e-mail to warn him that the advice on the Notification is available. He can then log in to the IS, select the Notification and accept or reject the changes propositions made by the advisor.

Advice on a draft notification

N°	Name of processing	Controller	DG	Delegated controller	Date	
947.1	test final 2	LEGRAND Stéphane	SG	NICOLET Franck	05-Aug-04	view ►

1

Figure 19: Advice on a draft notification

2.2.2.6   PRIOR ADVICE ON A 'DRAFT' NOTIFICATION

The prior advice can be asked to the DPO. A Controller or a Delegated Controller can ask for a prior advice to the DPO. A prior advice can only be asked on a 'draft' notification.
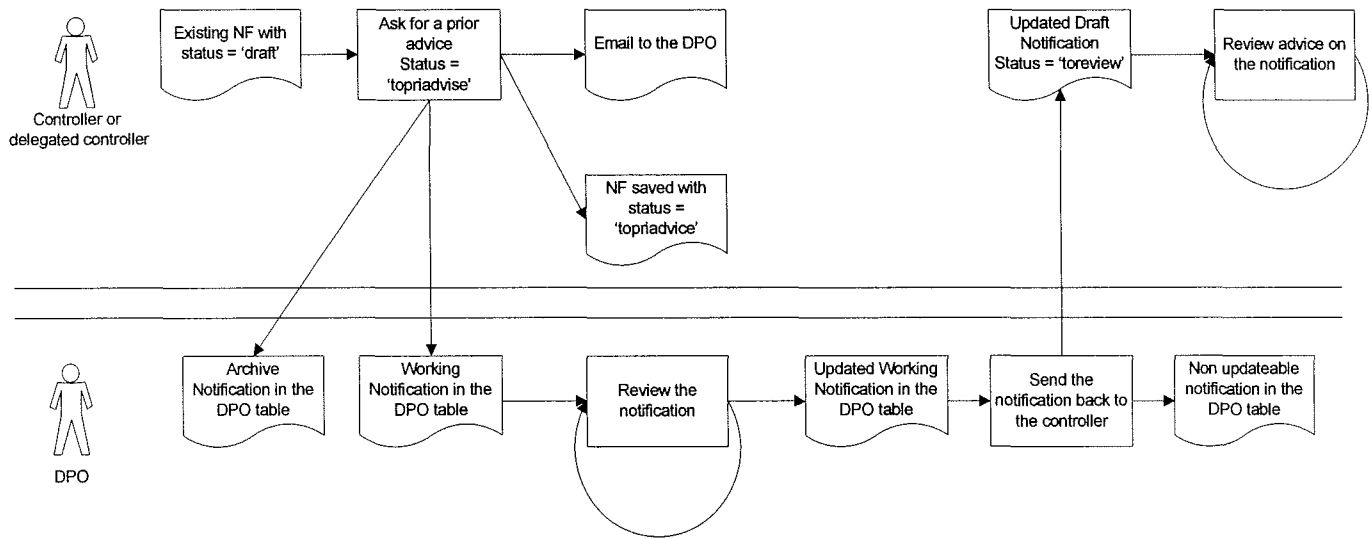
Figure 20: Prior advice to the DPO workflow

The Controller or Delegated Controller selects a draft notification then sends it to the DPO for a prior advice. The DPO receives an e-mail indicating that a prior advice on a notification has been asked to him. Two copies of the draft are then saved in the DPO table. The first copy is locked for history reasons, and the other one is the version on which the DPO will work. The DPO can then modify the notification. Once the notification is modified, the DPO sends it back to the requester of the prior advice, and the notification on which he worked is locked. The requester receives an e-mail indicating that the prior advice is available. He/she can select the notification and the questions for which the DPO has given an advice are followed by a link displaying the DPO version of the question. The user can then accept or reject the DPO propositions. When all the DPO questions have been reviewed, the notification is saved in 'draft' status.

Figure 21 : Review DPO's modifications.

2.2.2.7 ACCEPTANCE AND CLEARANCE OF A 'DRAFT' NOTIFICATION

The acceptance and clearance of a 'draft' notification is always initiated by a Delegated Controller to his/her Controller. When the notification is filled-in correctly and complete, the Delegated Controller asks to his/her Controller to validate the notification in order to save it in the register. An e-mail indicating that the notification is in wait for an acceptance is sent to the concerned Controller. The Controller logs into the IS and selects the notification. If he/she rejects the notification, the status remains 'draft' and an email is sent to the requester, indicating that the notification has been refused. If he/she accepts, the notification is written in the Register, the draft is deleted, an e-mail indicating the new entry in the Register is sent to the DPO, and the requester is warned of the acceptance of the notification by the Controller. The processor(s) selected for the Notification receive(s) an e-mail indicating that he/she (they) has (have) been identified as processor(s) for the new Notification. The figure below shows the workflow of an acceptance and clearance of a notification.
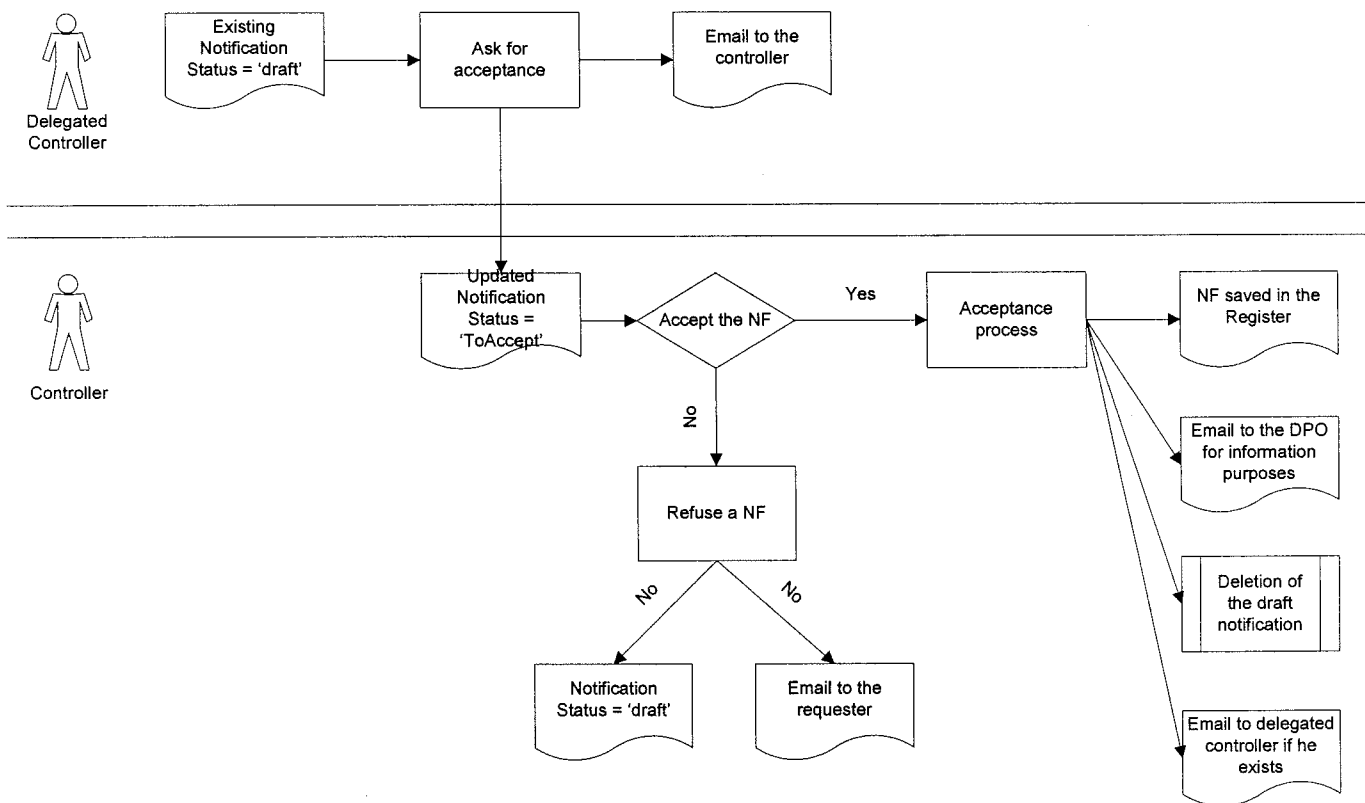

Figure 22: Acceptance and clearance of a draft notification workflow.

2.2.3   THE SIMPLIFIED NOTIFICATION SYSTEM

The Simplified Notification System has been created in order to help Controllers to fill-in notifications for simple processing of personal data which do not need the use of the standard more extensive Information System.

This system is composed on one side of an Excel spreadsheet form that is filled-in by Delegated Controllers or Controllers, and on the other side of a module that is part of the NDPO&R IS aimed to the DPCs in order to import the Simplified Notifications in the Register.

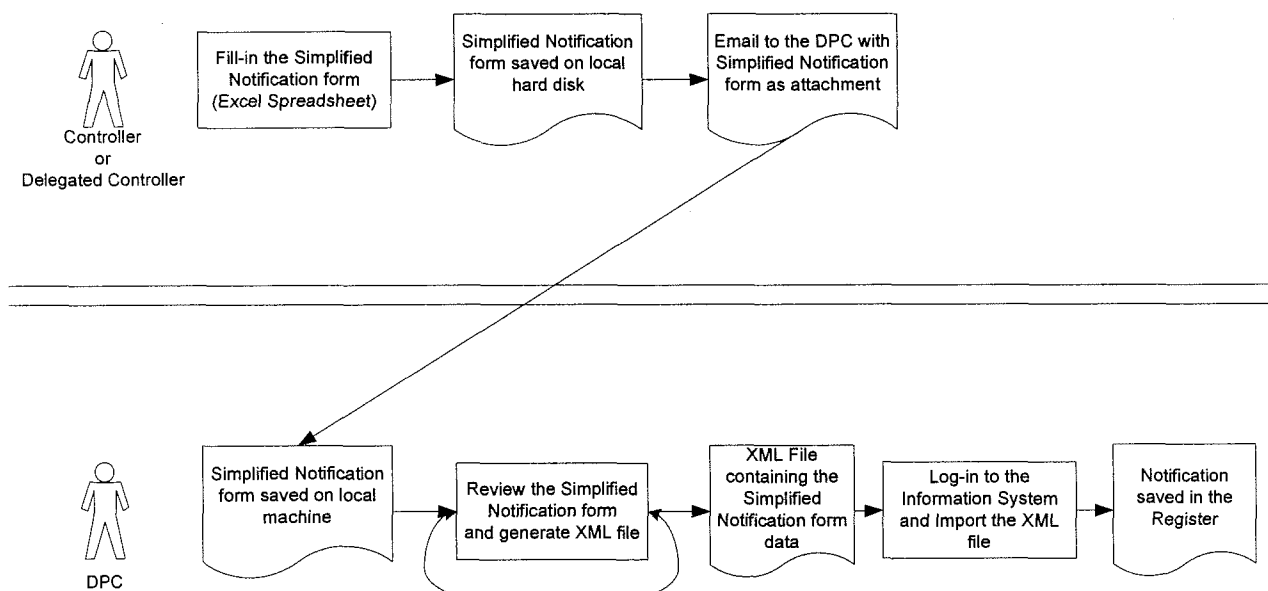Here is the data flow followed by the simplified notification system:

Figure 23: Simplified Notification flow.

The Simplified Notification form is made available to anybody on the NDPO&R IS Home Page, by clicking on the Simplified Notification menu entry.

Simplified Notification form for simple personal data processing

Generate XML File ...

**Form to be transmitted by e-mail, by or on behalf of the Controller, to the
Data Protection Co-ordinator of your DG after filling-in.
With this transmission the Controller delegates the writing of this
Simplified Notification in the Register of the Data Protection Officer on
his behalf.**

(Cells which have a red mark in the upper right corner contain comments which can be seen by hovering the mouse cursor on them)

Name of the processing	
Short description of the processing	
Name and first name of the Controller	
Userid (enter the same Userid used to access the Internet) of the Controller	
Title of the Controller	
Purpose(s) of the processing	
Category(ies) of data subjects	
Data fields or category(ies) of data processed	
Legal basis of processing	
Lawfulness of processing (see underlying comment)	
Recipients or category(ies) of recipients	
Retention period and Time limit to block / erase data on request from the data subjects	
Description of measures taken to ensure security of processing (*)	
Date and nature of information to data subjects (including information on their rights)	
Comments

(please do not forget the bottom lines of the table) | |

(*) The processing is done using the standard IT equipment and telecommunication infrastructure which have been certified to be compliant to offer the proper level of security for normal processing of data and have been hitherto notified to the Data Protection Officer by the central services and / or the IRM of the DG (please check with your IRM if necessary).

Figure 24: Simplified Notification Excel spreadsheet form.

Before working with the simplified notification form, the user (Controller or Delegated Controller) should pay attention to the notices concerning the restrictions about the use of this system, and the obligations of the Controller:

(*) The processing is done using the standard IT equipment and telecommunication infrastructure which have been certified to be compliant to offer the proper level of security for normal processing of data and have been hitherto notified to the Data Protection Officer by the central services and / or the IRM of the DG (please check with your IRM if necessary).

Restrictions:
The simplified notification shall not be used for:
> complex processing
> processing which needs prior checking by the European Data Protection Supervisor (see below special categories of data)
> processing which requires non-standard security measures
> processing which includes transfer of personal data to 3rd countries
> processing which publishes / distributes / gives access to printed or electronic directories
> a generic notification or a sub-notification

Obligations of the Controller:
By signing this notification form the Controller guarantees that personal data will be
- processed fairly and lawfully
- collected only for the purpose(s) indicated
- accurate and kept up to date
- kept for no longer than necessary
The controller also guarantees that the processing does not apply to special categories of data such as: racial or ethnic origins, political opinions, religious or philosophical beliefs, trade-union membership, health or sex life.
He/she guarantees that the processing is not:
- related to health and suspected offenses, criminal convictions or security measures
- intended to evaluate personal aspects relating to ability, efficiency and conduct of the data subject
- allowing linkage between data processed for different purposes
- for the purpose of excluding individuals from a right, benefit or contract.

Figure 25: Overview of the notices and restrictions.

Delegated Controllers or Controllers fill-in the form and save it to their local hard disk. Then, they send the Excel spreadsheet by e-mail to the DPC of their DG.

The DPC opens the received file and generate an XML file containing the data of the Excel spreadsheet, by using the 'Generate XML file ...' button. Once the file is generated and saved on the local hard disk of the DPC, he/she can log in to NDPO&R IS and select the 'Simplified Notification' menu entry. From this page he/she is able to import the generated file into the Register.

Simplified Notification for simple processing of personal data

Select the simplified notification XML File to import and write in the Register.

Browse...

Import file

Download the Simplified Notification Form (Microsoft Excel Spreadsheet) - ☒

Download or view the simplified notification user guide (Adobe PDF file) - ☒

Figure 26: Import page of the DPC.

Before the Notification is saved in the Register a confirmation page displaying the data found in the file is shown to the user. If all the mandatory fields are present, the Notification can be saved in the Register.

Simplified Notification for simple processing of personal data

Controller information in XML file	
User ID	controller1_dg1
Name and First Name	Test Controller
Title	Head of Unit
Controller information in LDAP	
User ID	controller1_dg1
Name and First Name	Controller 1 DG1
Directorate	A
Unit	B
DG	DG1
Building	JMO
Room	98
Floor	1
Telephone	26.11.26.03
E-mail address	ndpo_controller1@sword-technologies.com
Other information in XML file	

Name and/or short description of processing

Simplified Notification modifications

Short description of the processing

This processing has been created in order to test the modifications on the Simplified Notification module

Purpose(s) of processing

Testing the modifications on the Simplified Notification Module

Category(ies) of data subjects

test category

Data fields or Category(ies) of data fields processed

Figure 27: Overview of the import result page.

Before inserting the notification in the Register the system checks if Inventory Entries without an associated notification exist in the Inventory of personal data processing of the concerned DPC. If yes, the system proposes to the DPC to associate the imported notification to one of this/these entry(ies).

Inventory Entries without an associated Notification

Some Inventory Entries without an associated Notification have been found. Please, select an inventory entry to associate to this notification, or create a new processing.

	N	Processing Name	
⦿	New Processing		
○	1272	Employees database	
○	1273	Sickness Leaves	

[OK]

Figure 28: Inventory entries without an associated notification.

If the DPC selects an entry, the imported notification will take the number of the concerned entry, and the fields of the entry will be replaced with the values of the imported notification's fields.

If no entry is selected by the DPC, a new Inventory entry will be created.

2.2.4   ACCESS RIGHT OF THE DIFFERENT PLAYERS

The following table contains the list of functionalities and the access by profile.

	Controller	Delegated controller	DPC	Adviser	DPO	Delegated DPO
View/modify/delete a notification	X	X	X			
Ask for an advice	X	X	X			
Give an advice				X		
Ask for a prior advice to the DPO	X	X				
Give a prior advice					X	X
Ask for an acceptance and clearance of a notification		X				
Accept and clear a notification	X					
Data Protection Status Report Questionnaire			X			
Data Protection Status Report					X	X
Copy of a notification from the Register (create a new draft notification from a notification in the Register)			X			
Modify a notification from the Register (create a new version (+ 1) of a notification from the Register)	X	X	X			
Import a Simplified Notification in the Register			X			

3 EXERCISES

Here is the user configuration to use for the exercises:

Functional User ID	Password	First Name	Last Name	DG	Building	E-mail address
x31I002	x31902	Data Protection Officer	ndpo-dpo	SG	JECL INFORMATICS FORUM	x31I002@cec.eu.int - TRAINING DPO x31I002
x31I003	x31903	DG1 Data Protection Coordinator	dg1-dpc	ADMIN	JECL INFORMATICS FORUM	x31I003@cec.eu.int - TRAINING DPO x31I003
x31I004	x31904	DG1 Controller	dg1-controller	ADMIN	JECL INFORMATICS FORUM	x31I004@cec.eu.int - TRAINING DPO x31I004
x31I005	x31905	DG1 Delegated Controller	dg1-del-controller	ADMIN	JECL INFORMATICS FORUM	x31I005@cec.eu.int - TRAINING DPO x31I005
x31I006	x31906	DG2 Data Protection Coordinator	dg2-dpc	SG	JECL INFORMATICS FORUM	x31I006@cec.eu.int - TRAINING DPO x31I006
x31I007	x31907	DG2 Controller	dg2-controller	SG	JECL INFORMATICS FORUM	x31I007@cec.eu.int - TRAINING DPO x31I007
x31I008	x31908	DG2 Delegated Controller	dg2-del-controller	SG	JECL INFORMATICS FORUM	x31I008@cec.eu.int - TRAINING DPO x31I008
x31I009	x31909	DG3 Data Protection Coordinator	dg3-dpc	MARKT	JECL INFORMATICS FORUM	x31I009@cec.eu.int - TRAINING DPO x31I009
x31I010	x31910	DG3 Controller	dg3-controller	MARKT	JECL INFORMATICS FORUM	x31I010@cec.eu.int - TRAINING DPO x31I010
x31I011	x31911	DG3 Delegated Controller	dg3-del-controller	MARKT	JECL INFORMATICS FORUM	x31I011@cec.eu.int - TRAINING DPO x31I011
x31I012	x31912	DG4 Data Protection Coordinator	dg4-dpc	PRESS	JECL INFORMATICS FORUM	x31I012@cec.eu.int - TRAINING DPO x31I012
x31I013	x31913	DG4 Controller	dg4-controller	PRESS	JECL INFORMATICS FORUM	x31I013@cec.eu.int - TRAINING DPO x31I013
x31I014	x31914	DG4 Delegated Controller	dg4-del-controller	PRESS	JECL INFORMATICS FORUM	x31I014@cec.eu.int - TRAINING DPO x31I014

3.1 MODIFY/ COMPLETE A NOTIFICATION

Before being able to do this exercise, the user must assume that the DPC of his/her DG has created a draft notification based on an entry of his/her Inventory of personal data processing.

- Step 1: Log on the application,

- Step 2: Select menu 'Modify/ Complete a notification',

  - o (Summary presentation for each part of the notification, question list). The objective of this exercise is to complete a 'draft' notification with the participants. The fact that a help message is provided on each question must be explained and demonstrated. Explanation of the save button usage,

  - o Overview of the horizontal menu,

  - o Overview of every question and explanation of the system behaviour,

  - o Way of filling-in the answers,

  - o References to the regulation,

  - o Help messages,

  - o Link a notification to an other one,

  - o How to upload a file and join it to an answer (Question 7, 11,13, 15, 17),

  - o How to add and delete a processor,

- Step 3: Fill-in some questions,

  - o Chapter one of the notification is already filled-in with the Controller and Delegated Controller information,

  - o Q6) "NDPO&R - Notification to the Data Protection Officer & Creation of the Register",

  - o Q7) "Controllers are writing their Notifications to the Data Protection Officer into the Register made available by the Data Protection Officer. A workflow system supports the preparation process of Notifications. The access to the IS NDPO&R is only allowed to registered users.",

  - o Q11) "Regulation 45/2001",

  - o Q13) "Notification to the Data Protection Officer and Creation of the Register as defined in articles 25 & 26 in Regulation 45/2001.",

    - ▪ Please pick-up a file on the local disk using the 'Upload file(s)' functionality and upload it,

- o Q14) "Controllers and Processors",

- o Q15) "Workshops, Training courses and Presentations as well as Service Specific Privacy Statements",

- o Q16) "Controllers and Processors",

- o Q22) "The Data Protection Officer will keep the data of the controller and the processor in the register as long as the processing is operational. After that date he will delete from the register and archive the data for 5 years for reasons of legal appeal procedures. 5 years.",

- o Q23-Q26) Add a processor which is a user of the European Commission, and an external processor, using the 'Add/Remove Processor(s)' button,

- o Q28) "Name, First Name, Organisational attachment, Phone number",

- o Q30) "The online notification system and writing in the Register (= an Oracle data base) is only accessible to registered users which have roles attributed.",

- o Q31b) Tick the "yes" radio button and enter "Yes, by a secured access using a login and a password",

- o Q32) "Yes",

- o Q35) Enter your name,

- Step 4: Save the notification.

3.2   ADVICE ON A NOTIFICATION

- Step 1: Select menu 'Modify/complete a draft notification',

- Step 2: Selection of a 'draft' notification (Select the notification completed in exercise 1),

- Step 3: Access to the data flow page to ask for an advice,

- Step 4: Select an advisor (Choose a colleague in the training room),

- Step 5: Send the request for advice to the advisor,

- Step 6: Log off,

- Step 7: Log on as the advisor,

- Step 8:Select menu 'Advice and request for information on a draft notification',

- Step 9: Selection of the 'draft' notification,

- Step 10: 'Draft' notification modification (see exercise 1 from step 3),

- Step 11: Access to the data flow page to return the 'draft' notification to the requester,

- Step 12: Log off,

- Step 13: Log on as the requester,

- Step 14: Select menu 'Modify/complete a draft notification',

- Step 15: Selection the draft notification previously used (the status of the notification on which the advice has been requested is 'Review the Advisor propositions'),

- Step 16: Review the modifications proposal.

The step 1 to 6 and 13 to 16 are to be run as requester using the Controller or Delegated Controller or Data Protection Co-ordinator profile. The step 7 to 12 must be run as the Advisor.

3.3 PRIOR ADVICE

- Step 1: Select menu 'Modify/complete a draft notification',

- Step 2: Selection of a 'draft' notification,

- Step 3: Access to the data flow page,

- Step 4: Select 'Ask for a prior advice to the DPO',

- Step 5: Send the request for Prior Advice,

- Step 6: Wait for the notification to be advised by the DPO. A pencil appears on the line of the notification when the notification is available, and the status of the notification is 'Review DPO propositions'. It is not automatic; you have to refresh the page to see it. Or you can wait until you receive a mail when the answer of the DPO is sent,

- Step 7: Review the modification proposals while some exist,

- Step 8: Save the notification.

3.4 ACCEPTANCE AND CLEARANCE OF A 'DRAFT' NOTIFICATION

- Step 1: Select menu 'Modify/complete a draft notification'. This can be done from the menu 'Acceptance and clearance of a notification' when the acceptance is asked by a delegated controller,

- Step 2: Selection of a 'draft' notification,

- Step 3: Access to the data flow,

- Step 4: Accept the notification,

  o When the notification is accepted, the draft version is deleted. The notification is inserted in the register. Please check these points.

3.5   SIMPLIFIED NOTIFICATION SYSTEM

3.5.1.1   CONTROLLERS, DELEGATED CONTROLLERS

- Step 1: Open the DPO web site, and go to the NDPO&R IS Home Page by clicking on the 'Notification to the Data Protection Officer' menu entry,

- Step 2: Click on the 'Simplified Notification' menu entry,

- Step 3: Download the Simplified Notification form to your local machine,

- Step 4: Open the Simplified Notification form from the place you saved it. You need to enable the macros in order to make the system work,

- Step 5: Save the Simplified Notification form on your local machine,

- Step 6: Send the Simplified Notification form by e-mail to you DPC.

3.5.1.2   DPCs

- Step 1: Open the Simplified Notification form received by e-mail, and read it to see if there are no errors,

- Step 2: Generate the XML file clicking on the 'Generate XML file ...' button,

- Step 3: Answer "Yes" to the warning message, and choose the place where you wish to save the XML file,

- Step 4: Log in to the NDPO&R IS and go to the 'Simplified Notification' part by clicking on the corresponding menu entry,

- Step 5: Click on the 'Browse' button, and select the generated XML file. Click on the 'import' button,

- Step 6: A result page is displayed. If some errors are found in the XML file, you need to contact the Controller or Delegated Controller in to order for him to correct the form,

- Step 7: If no errors are found, you can click on the 'Accept and import in the Register' button,

- Step 8: Go to the Register page to view that the Notification has been imported,

4 PRIVACY STATEMENT PRESENTATION

(Nico Hilbert)

4.1 DEFINITION OF PRIVACY STATEMENTS

4.1.1 PRIVACY POLICY STATEMENT

4.1.2 SERVICE SPECIFIC PRIVACY STATEMENT

4.1.3 WHEN A PRIVACY STATEMENT SHOULD BE USED?

4.1.4 WHERE IT SHOULD BE USED?

4.1.5 HOW THE SKELETON FOR A SERVICE SPECIFIC PRIVACY STATEMENT SHOULD BE USED AND HOW IT SHOULD BE FILLED-IN?