



# Notification

## to the Data Protection Officer

Article 25 of Regulation 45/2001<sup>1</sup>

### 1/ Name and address of the controller

European Ombudsman  
1, avenue du Président Robert Schuman  
CS 30403  
F-67001 Strasbourg Cedex

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

The Cabinet, the Secretariat-General, the Directors, the Personnel, Administration and Budget Unit, the Communication Unit, and the Registry.

### 3/ Name of the processing

'RODEO' - Registration of documents of the European Ombudsman (EO). The documents concerned are those not related to the Ombudsman's handling of complaints, his inquiry activities, and his handling of queries submitted by national ombudsmen.

### 4/ Purpose(s) of the processing

The purpose of RODEO is to enable the relevant EO staff to decide whether and how documents — which may include personal data — should be included in the EO's (future) online public register. The public register of documents is intended to constitute an additional practical instrument to help citizens exercise their fundamental right of public access to documents, as provided for in Article 42 of the Charter of Fundamental Rights of the EU.

The processing operation secondarily serves the purpose of (i) better record keeping internally<sup>2</sup> and (ii) assigning tasks within the office.

<sup>1</sup> 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; OJ 2001, L 8, p.1.

<sup>2</sup> Cf. Article 24 of the European Code of Good Administrative Behaviour (Keeping of adequate records) and Point 5 of the European Ombudsman's Public service principles for the EU civil service (<http://www.ombudsman.europa.eu/en/resources/publicserviceprinciples.faces#hl6>).



## 5/ Description of the category or categories of data subjects

Internally: The Ombudsman (the incumbent) as well as EO staff and trainees.

Externally: Potentially any individual involved in correspondence with the EO, and/or any individual whose personal data may form part of such correspondence and/or internal documents of the EO.

## 6/ Description of the data or categories of data

(including, if applicable, special categories of data (Article 10 of Regulation 45/2001) and/or origin of data)

There are two main levels of data: descriptive data and data contained within the documents.

The descriptive data relate mainly to contacts and are stored in an electronic contact database in RODEO. They concern either:

- EO staff: The personal data, taken from the EO's central staff management database, includes:

first name  
last name  
first name  
last name  
e-mail address  
telephone extension  
Unit  
Office location  
postal code  
city  
function

- Non-EO staff: The data processed may extend to the following:

title  
first name  
last name  
job title  
type (company, association, non-governmental organisation, school, university, institution)  
post box  
street address  
province  
city  
postal code  
country  
nationality



language  
if institution, and as relevant: institution/body and directorate  
office  
building  
e-mail  
mobile telephone  
fax

None of these fields is compulsory and it is only necessary to complete one field for a contact to be recorded. For reasons of proper record keeping, the data entered will usually include the name of the individual concerned, as well as at least one contact detail. In accordance with the data minimisation principle, staff are advised to include only the personal data that are relevant and necessary.

Descriptive data used to identify the document in question may also contain personal data.

At the level of the content of the documents, full text indexing may reveal personal data of any type, including special categories of data referred to in Article 10 of Regulation 45/2001. In the event that sensitive data is included in a document, a double security arrangement is in place (the descriptive data is encrypted, while the document is marked 'confidential', with access to it strictly limited).

## 7/ Information to be given to data subjects

### **The European Ombudsman's registration of documents (Rodeo): Privacy Statement**

The purpose of RODEO is to enable the Ombudsman's staff to decide whether and how documents — which may include personal data — should be included in the Ombudsman's online public register. The public register of documents is intended to constitute an additional practical instrument to help citizens exercise their fundamental right of public access to documents, as provided for in Article 42 of the Charter of Fundamental Rights of the EU. The processing operation secondarily serves the purpose of better record keeping internally and assigning tasks within the office.

There are two main levels of data processed in RODEO: descriptive data (relating mainly to contacts) and data contained within the documents. The descriptive data relating to contacts are stored in an electronic contact database in RODEO. Descriptive data used to identify the document in question may also contain personal data. At the level of the content of the documents, full text indexing may reveal personal data of any type, including special categories of data referred to in Article 10 of Regulation 45/2001. In the event that sensitive data is included in a document, a double security arrangement is in place (the descriptive data is encrypted, while the document is marked 'confidential', with internal access to it strictly limited).



RODEO itself can be accessed internally only. There are three levels of access to the registered document and the metadata relating to it: full (access to all users of the system), limited (access to users within the relevant Unit on the basis of "need to know") and confidential (access to named users). Any RODEO user can, in the interest of proper record keeping, update any entry of the contact book.

Personal data (notably names) contained in documents may be published on the Ombudsman's public register if the data subject is a public person or works for the European Ombudsman. Sensitive personal data will not be published.

The Ombudsman is responsible for this processing operation.

The legal basis for this processing is Article 11 of Regulation 1049/2001 on public access to documents and the Framework decision of 17 November 2011 of the European Ombudsman on the creation of a public register (attached).

The processing of personal data by the Ombudsman is governed by **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, OJ 2001 L 8, p.1. Please note that you have the right to obtain access to, and rectification of, your personal data. To exercise your rights or to obtain any further information, you may apply directly to the Ombudsman. If you consider that your rights under Regulation 45/2001 have been infringed as a result of the processing of your personal data by the Ombudsman, you have the right of recourse at any time to the European Data Protection Supervisor.

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

Internally: Information is given to Ombudsman staff and trainees through a privacy statement (see point 7 above), which is available via a link in Rodeo.

Externally: Information is given to data subjects through a privacy statement (see point 7 above) available on the Ombudsman's website, a link to which is provided on the Ombudsman's online public register.

## **9/ Automated/manual processing operation**

### **Automated processing**

The application is composed of a set of modules for scanning, storage, registration, electronic filing, and electronic assignment of documents.

Full text indexing: The system applies full text and data indexing.

Audit trail: By accessing an electronic record, it is possible to know who modified a particular record in the application and when.

Automatic notification: When the first line manager assigns a document to a member of his/her service, and sets a deadline that clashes with an absence period of that staff member, RODEO automatically informs the first line



manager of this fact, thus enabling him/her to either set a new deadline or to assign the document (and the related tasks) to other staff. The data on absence are retrieved, for this purpose only, from the EO's separate electronic leave and mission management systems ('PERSEO' and 'MISSEO'). The first line manager is not informed of the reasons for the absence. This information does not go beyond what is already available to all staff within the Office via the PERSEO calendar.

### **Manual processing**

The manual processing of data is limited to data entry and document classification.

## **10/ Storage media of data**

Paper and electronic. In accordance with Article 7 of the Framework agreement on cooperation of 15 March 2006 between the European Ombudsman and the European Parliament, data stored on the Ombudsman's computer network are located on machines administered by Parliament. The data are subject to security measures maintained by Parliament.

## **11/ Legal basis and lawfulness of the processing operation**

Article 11 of Regulation 1049/2001 on public access to documents, and the Framework decision of the European Ombudsman on the creation of a public register of 17 November 2011. The processing is lawful, in accordance with Article 5(a) and 5(b) of Regulation 45/2001.

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

RODEO can be accessed internally only<sup>3</sup>. There are three levels of access to the registered document and the metadata relating to it: full (access to all users of the system), limited (access to users within the relevant Unit on the basis of "need to know") and confidential (access to named users). This latter security level should in principle be used for all records containing sensitive data in the sense of Article 10 of Regulation 45/2001. Moreover, the system allows for full encryption of personal data in the subject field with the result that a staff member who finds a record through a search will not see the personal data in the subject field.

Any RODEO user can, in the interest of proper record keeping, update any entry of the contact book.

<sup>3</sup> Normal use of RODEO does not allow for access by non-users. There are three exceptions to this rule: *first*, relevant control bodies, such as anti-fraud bodies and auditing bodies, will have a right of access to the data; *second*, the EO's Data Protection Officer has a right of unlimited access at any time to any part of the system; *finally*, needs for technical improvements or assistance could imply that external IT staff will be granted temporary access, under surveillance, to the system. All three above-mentioned categories of actors will be subject to confidentiality obligations whenever access is granted.



### **13/ Retention policy of (categories of) personal data**

The documents and data for which particular EO rules do not already apply shall be kept for a period of ten years (or longer if the documents and data continue to form part of an ongoing file or correspondence). The ten year period shall apply as from the date of the last action ('event') related to the file/documents in question.

#### **13 a/ Time limit to block/erase the different categories of data** (on a justified, legitimate request from the data subject; Please specify the time limits for every category, if applicable)

30 working days, upon a justified 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)

See above under point 13.

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

No transfers envisaged.

### **16/ Further information**

The data controller declares the accuracy of the above statements and undertakes to inform the Data Protection Officer of any change affecting this information.

Place and date: Strasbourg, 16 April 2013

The controller:

João Sant'Anna

Director