

DELEGATED CONTROLLER HELP NOTE

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Notification overview

A notification is divided into 8 chapters. Here is a list of the questions contained in each chapter:

Chapter 1: Notification information :

- 1) Date of submission (Automatically filled-in)
- 2) Name and first name of the controller
- 3) Title
- 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
- 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
- 13) Purpose(s) of the processing

Chapter 4: Main characteristic of processing and data:

- 14) Data subject(s) concerned
- 15) As you are processing personal data
- 16) Category(ies) of data subjects
- 17) Data field of data subject
- 18) Category(ies) of data fields
- 19) Storage media of data
- 20) Recipient(s) of processing
- 21) Category(ies) of recipients
- 22) Retention of policy of (categories of) personal data

Chapter 5: Responsible for processing and data:

- 23) Name and first name of the processor
- 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
- 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. (Each question of the subset following contains a yes/no choice, and a text area for explanations)

- a) Preventing any unauthorised person from gaining access to computer systems processing personal data;
- b) Preventing any unauthorised reading, copying, alteration or removal of storage media;
- c) Preventing any unauthorised memory inputs as well as any unauthorised disclosure, alteration or erasure of stored personal data;
- d) Preventing unauthorised persons from using data-processing systems by means of data transmission facilities;
- e) Ensuring that authorised users of a data-processing system can access no personal data other than those to which their access right refers;
- f) Recording which personal data have been communicated, at what time and to whom;
- g) Ensuring that it will subsequently be possible to check which personal data have been processed, at what time and by whom;
- h) Ensuring that personal data being processed on behalf of third parties can be processed only in the manner prescribed by the contracting institution or body;
- i) Ensuring that, during communication of personal data and during transport of storage media, the data cannot be read, copied or erased without authorisation;
- j) Designing the organisational structure within an institution or body in such a way that it will meet the special requirements of data protection;

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. The subset of questions is the same as for question 31.

33) Technical measures to safeguard the secure use of the telecommunications networks and terminal equipment, if necessary in conjunction with the providers of publicly 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 publicly 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 questions if applicable, including attachments to this notification which should not be public

How to modify/complete a draft notification?

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

Select the left menu entry 'Modify/complete a draft notification' to access the list of notifications available for modification.

Select the notification you want to modify by clicking on the corresponding pencil image .

Step 2: Draft notification modification

1. Browsing the notification


To browse the different chapters of the notification, use the navigation part of the screen. The highlighted text (grey background) of the navigation part indicates in which chapter of the notification you are positioned. To display a specific chapter of the draft notification, you just have to click on the label of the corresponding chapter.



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



Figure 1

2. Using the on-line help

On-line help messages are represented by a  symbol. Each question of a notification has an associated help message.

To view the help message, simply move your mouse over the  symbol. When the mouse moves out of the  symbol, the message disappears.

3. Using the references to the Regulation 45/2001

When a question or chapter of the notification has a direct reference to an article of the Regulation 45/2001, you can view it by clicking on the text corresponding to the reference. Usually, the reference is represented by the referenced article title or part. All the references to the Regulation begin with the 'Ref.: ' text.

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

Figure 2: reference example

4. Filling-in the notification fields.

- **Text fields and text areas:** Most questions of the notification present simple text fields or text areas to fill-in the answers. You can modify the content of these fields by adding, or changing the text. For these fields you have the possibility to type in a text, or to paste a text copied from any type of file that support the copy/paste functionality (Microsoft Word document, HTML file, PDF document, etc ...).

- Attachments: some questions can have a need for a longer text in the answer. The NDPO&R IS offers an 'Upload file' functionality to bypass the 2000 characters limit of text area fields. The 'Upload file' functionality is represented by a link named 'Attachment(s)'. Clicking this link displays a pop-up window listing the files joined to the question. Typically the 'Upload file' functionality allows using existing documents already available in the documentation of an information system, as those elaborated for example during the project phase.

- Linked notifications: The NDPO&R IS offers the possibility to link the notification you are filling-in to a notification saved in the Register in chapter '2 General description of processing' called master notification and in chapter '7 General description of security measures' called generic notification. This functionality can be useful to avoid entering a content that has already been entered in an other notification.

- Add/Remove processor(s) interface: Chapter '5 Responsible for processing and data' of a notification allows you to add or remove processors to the notification. To access the 'Add/Remove processor(s)' screen, first go chapter 5 of the notification and click on the 'Add/Remove processor(s)' button. For more details about how to use this interface, please refer to the NDPO&R IS User Guide.

Step 3: Saving a notification

There are 2 possibilities to save a notification:

- Use the 'Save' buttons available in top and bottom of each chapter of the notification
- Move to another chapter of the notification, by clicking on the corresponding text in the upper menu.

Step 4: Access to the Data Flow part of a notification

The Data Flow part of the notification system is accessible from any chapter of a draft notification by clicking on the 'Send the Notification' button displayed next to each 'Save' button on the top and bottom of each chapter. The 'Send the Notification' button is displayed if the draft notification has already been saved once.

The Data Flow part of the notification system is the place from which the user selects an action and/or a recipient for the draft notification he's working on.

Use the radio buttons to select the action, enter a message in the 'Message' text area, and click on the submit button to bring the notification to the next step of the workflow.

How to ask for an advice on a draft notification?

Step 1: Access to the data flow page and ask for acceptance and clearance of the notification

Access the Data Flow part of the notification by clicking on the 'Send the Notification' button.

Select the radio button 'Ask for an advice and/or request information on this notification to:'.

Enter the last name of the person to which you want to ask for an advice, and then click on the 'Pick' button.

A pop-up window displays the list of all the officials that match the name you entered. Select the right person from the list, and click on the add button. The pop-up window is closed.

Enter a message in the 'Message' text area, and click on the submit button.


When the 'Submit' button is clicked, an e-mail is sent to the person you selected with the message you entered in the text area.

How to give an advice on a draft notification?

Step 1: Select menu 'Advice and request for information on a draft notification';

Select the left menu entry 'Advice and request for information on draft notification' to access to the list of notifications on which an advice has been requested.

Step 2: Selection of the 'draft' notification;

On this page, you can select a notification and give your advice by clicking on the corresponding pencil . Clicking on this button displays the selected notification.

Step 3: 'Draft' notification modification;

To give your advice, modify the fields on which your opinion has been requested, and save the notification.

Step 4: Access the Data Flow part and return the advice.

Access the Data Flow part of the notification by clicking on the 'Send the Notification' button.

To return the advice select the radio button 'Give an advice on this notification', enter a message indicating what changes you have made in the 'Message' text area, and click on the submit button.

How to ask for acceptance and clearance of a notification

Step 1: Access to the data flow page and ask for acceptance and clearance of the notification

Access the Data Flow part of the notification by clicking on the 'Send the Notification' button.

Select the radio button 'Ask for Acceptance and clearance of this notification to:'.

Enter a message in the 'Message' text area, and click on the 'Submit' button to ask for acceptance and clearance of the notification to the controller selected in the part 1 of the notification.

When the 'Submit' button is clicked, an e-mail is sent to the controller of the notification, indicating him that you have asked for acceptance and clearance of this notification, with the message you entered in the text area.

How to ask for a prior advice to the DPO

Access the Data Flow part of the notification by clicking on the 'Send the Notification' button.

Select the radio button 'Ask for prior advice on this notification to the Data Protection Officer'.

Enter a message in the 'Message' text area, and click on the 'Submit' button to ask for a prior advice to the DPO.

When the 'Submit' button is clicked, several actions are taken:

- The draft notification is copied in DPO table and locked for history purposes
- An incremented version of the draft notification is copied in the DPO table. The modifications of the DPO are made on this notification.