



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR INFORMATICS

The Director-General

Mr. Alexander Fanta  
Schönhauser Allee 6-7  
10119 Berlin  
Germany

***By email with acknowledgment of receipt to:***

[ask+request-11119-  
fd88acc8@asktheeu.org](mailto:ask+request-11119-fd88acc8@asktheeu.org)

**Subject: Your application for access to documents – GESTDEM 2022/2394**

Dear Mr. Fanta,

We refer to your e-mail of 25 April 2022 in which you make a request for access to documents, registered on 25 April 2022 under the above-mentioned reference number.

You request access to “1) *Memos, guidance, guidelines, or training material (or any other document) for staff on record creation and/or record keeping. I am particularly interested in documents that refer to creation/keeping of text messages.* 2) *Memos, guidance, guidelines, or training material (or any other document) for staff on the processing of access to information requests*”.

### **1. Assessment of your request**

The Secretariat General of the European Commission has mentioned that they will provide a reply for all corporate documents falling within the scope of your request and has further instructed other Directorates-General of the Commission to reply in the event they identify other documents (created at DG level) which also fall under the scope of your request.

We have identified the following documents, which fall under the scope of your current application (documents created within DG DIGIT):

- *Note for the attention of DIGIT's staff – practical information on requests for public access to documents held by DIGIT.*
- *Practical information on access to documents requests – presentation for DIGIT's management.*

Having examined the first document mentioned above (*Note for the attention of DIGIT's staff*), requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I have to conclude that the document may be partially disclosed. Some

parts of the document have been blanked out as their disclosure is prevented by exceptions to the right of access as laid down in Article 4(1)(b) - privacy and integrity of the individual.

The document identified above includes personal data of Commission staff not pertaining to senior management.

Article 9(1)(b) of the Data Protection Regulation does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you do not express any particular interest to have access to these personal data nor do you put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested document, as the need to obtain access thereto for a purpose in the public interest has not been substantiated and there is no reason to think that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

## **2. Right of redress**

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

European Commission  
Secretariat-General  
Transparency, Document Management & Access to Documents (SG.C.1)  
BERL 7/076  
B-1049 Brussels

or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours faithfully,

Enclosure(s):

- Note for the attention of DIGIT's staff – practical information on requests for public access to documents held by DIGIT.
- Practical information on access to documents requests – presentation for DIGIT's management.