

Notification to the DPO

COMPULSORY INFORMATION

1) Date of submission

05/05/2008

2) Function and address of the controller

Head of Unit

Audit methodology and support

12 rue Alcide de Gasperi, L-1615 Luxembourg

3) Unit/Service which is the Controller

Audit methodology and support

4) Unit/Service of the Processor

All audit units.

5) Name of Processing + description

ASSYST - time recording and time allocation

6) Legal basis of processing

DEC 056/07

7) Lawfulness of processing. Please retain only the justification(s) which apply for this declaration.

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

b) processing is necessary for compliance with a legal obligation to which the controller is subject

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

d) the data subject has unambiguously given his or her consent

e) processing is necessary in order to protect the vital interests of the data subject

a)

8) Purpose(s) of Processing

The information is used by the auditor to check how many weeks have been spent on different tasks and activities. The information is also used by management to know the number of man weeks an audit task has taken and to follow up the implementation of the work programme.

9) Data Subjects

All auditors

10) Data fields(s) of Data Subjects;

Attention: Please indicate and describe in the answer to this question also data fields which fall under article 10 (racial or ethnic origin; political opinions; religious or philosophical beliefs; trade-union membership; health or sex life)

Surname, first name, staff number, grade, unit, number of hours worked, attributed tasks

If Article 10 applies please specify here:

N/A

11) Recipient(s) of the Processing to whom the data might be disclosed

Management at Court of Auditors

OLAF, European Data Protection Supervisor, the ECA's Data Protection Officer: in case of investigations

The Ombudsman in case of an administrative complaint

12) Retention policy of (categories of) personal data

Time records are retained for 3 years.

13) How are Data Subjects informed about the treatment of their personal data, as specified in Articles 11 - 12 of the Regulation?
Specific data protection statement in the ASSYST system.
14) Specify which procedures have been implemented to guarantee the data subjects rights (access; correct; lock; erase; opposition) as specified in Articles 13 - 19 of the Regulation.
Data subjects can consult and update their own time allocation at any time.
15) Which time limit has been set after which the Data Subjects can't lock/erase data on justified legitimate request.
N/A
16) 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
N/A
17) Legal foundation of transfer: only transfers to third party countries (outside EU) not subject to Directive 95/46/EC (Article 9) should be considered for this question. Please treat transfers to other community institutions and bodies and to member states under question: Recipient(s) of the Processing
No transfer of information to third party countries
18) Which Category(ies) of Personal Data or Personal Data will be transferred to third party countries (outside EU)?
N/A
19) How will the personal data be stored: paper/digital and if applicable in which information system?
In a digital format within the ASSYST system.
20) Describe the procedures of how the personal data will be treated and if it is a manual/automatic treatment
the ART tool will facilitate the reconciliation of the data between the two systems (the time recording tool and the management tool). Data from ASSYST are used by staff to compile a six-month Annual Work Programme Implementation Report. A reconciliation of the records of ASSYST and EFFICIENT by staff allows them ensuring that their ASSYST records (and hence the Implementation Report) are complete and accurate for the current month and the previous month. Since EFFICIENT only shows the current and previous month, ART can only display the current and the previous month. As it is presented by the controller and in the documentation provided, ART is not a database but an application which pulls the data from the two source databases and displays the data in table format. It is just a reconciliation of the time recorded in ASSYST and EFFICIENT. The ART tool will not give read access to more data than the person has in the two source systems. As presented in the notification, ART is mainly a supervising tool.
21) The processing presents specific needs which justifies prior checking for data falling under article 27
a) processing of data relating to health and to suspected offences, criminal convictions or security measures
b) processing operations intended to evaluate personal aspects relating to the data subject, including his or her ability, efficiency and conduct
c) processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes
d) processing operations for the purpose of excluding individuals from a right, benefit or contract
YES NO If YES then which option(s) A B C D
YES b)
22) General description of the control measures taken to fulfil Article 22 "Security of processing" and especially preventing any unauthorised disclosure or access, accidental or unlawful destruction or accidental loss, or alteration, and to prevent all other unlawful forms of processing.
Place and date: Luxembourg 05/05/2008
Data Controller: John SWEENEY
Place and date: Luxembourg 07/05/2008
Data Protection Officer: Jan KILB