REGISTER NUMBER: 77
NOTIFICATION FOR PRIOR CHECKING

Date of submission: 03/01/2006

Case number: 2006-001

Institution: European Commission

Legal basis: article 27-5 of the regulation CE 45/2001(1)

(1) OJ L 8, 12.01.2001

INFORMATION TO BE GIVEN(2)

(2) Please attach all necessary backup documents

1/ Name and adress of the controller

Name and First Name of the Controller:CASTELLANI Luisa

Title:Head of Department

Directorate, Unit or Service to which the Controller is attached:Not Applicable.Not Applicable

Directorate General to which the Controller is attached:SCIC

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

External Company or Directorate, Unit or Service to which the Processor is attached:

1.B
.01

External Company or Directorate General to which the Processor is attached:

1.SCIC

3/ Name of the processing

SERIF - Système d'Enregistrement de Rapports sur les interprètes Freelance (On-line freelance interpreter reporting system)

4/ Purpose or purposes of the processing

Semi-continuous monitoring of the quality of service provided by freelances. Staff members may also use the system to submit a report relating to a specific incident or to draw attention to particularly outstanding performance.
The HoU is responsible for monitoring the quality of staff and freelance interpreters and dealing with any incidents which may arise. In the case of the freelances, in addition to the ongoing quality assurance monitoring, the system is intended to provide an early warning of problems and also identify consistently weak or consistently excellent performance in various categories shown on the form.

5/ Description of the category or categories of data subjects

Data Subject(s) concerned:

Auxiliary conference interpreters/freelance interpreters accredited to DG Interpretation and recruited on a daily contract basis to work in meetings serviced by it.

Category(ies) of Data Subjects:

Auxiliary conference interpreters/freelance interpreters accredited to DG Interpretation and recruited on a daily contract basis to work in meetings serviced by it.

6/ Description of the data or categories of data*(including, if applicable, special categories of data (article 10) and/or origin of data)*

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

The description of the data fields is in the attached document.

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

Reporting Officer's Overall impression
Quality of the Interpretation
Booth Manners
Comments from subject of the Report

7/ Information to be given to data subjects

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'

The ACI section of the SCIC website (http://www.scic.cec/aic/aic_en.htm) includes information on the DG?s policy and procedures with regard to quality monitoring and assurance, as well as an explanation of the functioning of the system.

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

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' :

Freelances may obtain information on the contents of their reports at any time by applying to their HoU. They are also entitled to place comments on record. These comments form an integral part of the report.

9/ Automated / Manual processing operation

Description of Processing:

Attention: Please describe in the answer to this question if you process personal data falling under article 27 "Prior-Checking (by the EDPS - European Data Protection Supervisor)"

Data relating to the quality of the freelance?s interpreting (i.e. performance-related) and his/her professionalism (?booth manners?) are submitted via a web-based report form by staff interpreters working alongside the freelances and are stored in a data base. The data may be output as reports (identical to the input form) or as aggregated or individual statistics (number of reports per unit, number of reports on freelance X number of reports by staff member Y, number of ?excellent? ?needs watching? ?unsatisfactory? ratings per freelance). The data fall within the definition given in Article 27 paragraph 2b

Automated Processing operation(s):

Generation of general and individual statistics and summaries/compilations of data by or on behalf of the Heads of Unit (HoUs) of Directorate A, who are responsible for monitoring and maintaining the quality of interpretation.

Manual Processing operation(s):

Input of data by reporting officers (staff interpreters or HoUs) or by the 5 secretaries of the 5 departments of Directorate A, authorised to do so by the Controller

Consultation of reports by authorised personnel (HoUs of Directorate A and unit quality co-ordinators). Printing of completed reports for consultation by the subject on request. Printing of individual or aggregated data for consultation by authorised personnel

10/ Storage media of data

Hard disks of database servers running in the operational IT environment of DG SCIC

11/ Legal basis and lawfulness of the processing operation

Legal basis of Processing:

Regulation 1 of 1958 determining the official languages of the EEC, plus subsequent amendments.
Conditions of Employment of Other Servants (CEOS), Articles 84.4 and 87 by analogy
The Communication by Vice President Kinnock on the reorganisation of SCIC (SCIC/CS D(2003)61, which was approved by the Commission on 8 October 2003, refers on page 6 to ?management of interpreting staff, with particular emphasis on quality control (see attachment).
According to its mission statement, DG Interpretation (SCIC)?s role is to make possible multi-lingual communication, which is at the core of Community decision making:
? By providing quality interpretation in meetings arranged by the Commission and the
other Institutions served by DG Interpretation;

Lawfulness of Processing:

Answering this question please also verify and indicate if your processing has to comply with articles 20 "Exemptions and restrictions" and 27 "Prior checking (by the EDPS)"

Processing is lawful pursuant to Article 5 paragraph b). Article 20 is not relevant. Given the nature of the data, Article 27 paragraph 2b is relevant and hence, prior checking by the EDPS is required

12/ The recipients or categories of recipient to whom the data might be disclosed
Recipient(s) of the Processing:
HoUs and unit quality co-ordinators, where appointed by the HoU, have direct on-line access to all reports relating to the freelances whose quality is their responsibility, as well as to reports written by unit staff. Members of the Inter-Institutional Quality Group (IQG) and senior management have no direct access to the system but may if necessary be given the data in hard copy.
Category(ies) of recipients:
Heads of unit Unit quality co-ordinators Members of the IQG (Inter Institutional Quality Group)

13/ retention policy of (categories of) personal data
Data are retained for a rolling period of 10 years.

13 a/ time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject) *(Please, specify the time limits for every category, if applicable)*
Time limit to block/erase data on justified legitimate request from the data subjects
A report is stored in XML-format in one record. This record can be blocked or deleted immediately following an instruction from the relevant head of unit or the controller

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,*
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

15/ Proposed transfers of data to third countries or international organisations
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 community institutions and bodies and to member states under question 20.
Not applicable
Category(ies) of Personal Data or Personal Data to be transferred:
Not applicable

16/ The processing operation presents specific risk which justifies prior checking (*please describe*):

Description of Processing:

Attention: Please describe in the answer to this question if you process personal data falling under article 27 "Prior-Checking (by the EDPS - European Data Protection Supervisor)"

Data relating to the quality of the freelance?s interpreting (i.e. performance-related) and his/her professionalism (?booth manners?) are submitted via a web-based report form by staff interpreters working alongside the freelances and are stored in a data base. The data may be output as reports (identical to the input form) or as aggregated or individual statistics (number of reports per unit, number of reports on freelance X number of reports by staff member Y, number of ?excellent? ?needs watching? ?unsatisfactory? ratings per freelance). The data fall within the definition given in Article 27 paragraph 2b

Lawfulness of Processing:

Answering this question please also verify and indicate if your processing has to comply with articles 20 "Exemptions and restrictions" and 27 "Prior checking (by the EDPS)"

Processing is lawful pursuant to Article 5 paragraph b). Article 20 is not relevant. Given the nature of the data, Article 27 paragraph 2b is relevant and hence, prior checking by the EDPS is required

AS FORESEEN IN:

   Article 27.2.(a)
Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

Not applicable

   Article 27.2.(b)
Processing operations intended to evaluate personal aspects relating to the data subject,

The processing operations on personal data of the SERIF system is submitted under the present paragraph of article 27.

   Article 27.2.(c)

Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,

Not applicable

   Article 27.2.(d)

Processing operations for the purpose of excluding individuals from a right, benefit or contract,

Not applicable

   Other (general concept in Article 27.1)

The processing operations on personal data of the SERIF system is submitted under the present paragraph of article 27.

17/ Comments

Date of submission:

Comments if applicable:

Freelance interpreters are also referred to as ACIs (Auxiliary Conference Interpreters. The terms are equivalent in this context.
It should be noted that some interpreting units are managed directly by the head of the relevant department. Consequently, for the purposes of this notification, the term Head of Unit also embraces the Heads of Department.
Regular review of report contents by HoUs. Statistics would normally be generated annually to meet reporting obligations regarding the number of reports per unit and for staff career development review purposes (did the senior interpreter comply with the job description by helping to maintain quality by submitting reports?).
The departmental secretaries' role is to input relevant comments received occasionally from recognised reporting officers in the form of e-mails or in writing

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.
If Yes, please explain what is applicable.

no

Complementary information to the different points if applicable :

PLACE AND DATE:29/12/2005

DATA PROTECTION OFFICER: HILBERT Nico

INSTITUTION OR BODY:European Commission