

REGISTER NUMBER: 129

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 25 October 2006

Case number: 2006-508

Institution: EESC & COR

Legal basis: article 27-5 of the regulation CE 45/2001⁽¹⁾⁽¹⁾ OJ L 8, 12.01.2001INFORMATION TO BE GIVEN⁽²⁾⁽²⁾ Please attach all necessary backup documents

1/ Name and adress of the controller

O'Higgins, Niall, IT Unit, Head of Unit, Belliard 99-101, 1040 Brussels

DELEGATED CONTROLLERS

Debrue, Jean-Marc, Head of Service, IT-Telecom

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

IT Unit (Directorate for Logistics and Translation)

3/ Name of the processing

TELEPHONY

Short description of the processing:

Processing of data relative to the Telephone System of the European Economic and Social Committee and the Committee of the Regions

4/ Purpose or purposes of the processing

To enable use of the telephone system at the EESC-COR.

- Measuring the capacity used and estimating the required capacity in the future

- Follow-up on telephone charges for budgetary reasons and for cost-control

- Billing of private telephone calls

- Solving technical problems

5/ Description of the category or categories of data subjects

All staff, statutory or not, within the Committees and having a need for using the Committees' telephone system

All Members (including alternates, assistants & CCMI delegates and alternates) and having a need for using the Committees' telephone system

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

The first set of data is composed of records known as "call data records". These records contain the number of the calling party (if available), the number of the called party, the date and time of the beginning and end of the communication, the cost of the communication (if it is an external call) and the number of the code if a service or private code was used to establish the communication.

A second set of data is composed of the data provided by the telecommunications operators (Belgacom, Equant and Mobistar at the moment) for the purposes of billing. This billing data contains the detailed list of calls with data similar to those contained in the call data records.

A third group of data is composed of the data stored on the telephone set of the user.

A fourth group of data is composed of that communicated by the internal user to the external world.

A fifth group of data is composed of telephone directories containing all staff.

These data categories are described in more detail in the enclosed document "EESC/CoR Telephony System Data Workflows" (see Annex I)

7/ Information to be given to data subjects

Information on the telephone system is available on the intranet. This information is mentioned (with indication of the location):

-in the documentation provided to the new officials during the "welcome" sessions – in the documentation provided to all users (Members and staff)

The principal IT publication for end-users is the "IT Guide" (see Annex IV)

Regular reminders are sent by email concerning relevant issues from the "IT Helpdesk".

A privacy statement is published on the intranet (see Annex III)

The recommendations of the DPO are published on the intranet

The decision "on acceptable use of the committees' computer" (includes telephones) system is published on the intranet (see Annex II).

In

addition, the following information specific to the telephone system:

-List of reports generated from the "call data records" (as described in point 9);

-The identification of the calling number is not communicated to the outside when a user at the Committees calls an external number;

-There is no centralised recording of calls. The users can record calls in which they participate by connecting a recorder to a port at the back of the telephone set.

-The user can erase the number of the caller which is stored in the memory of the telephone set once the call is finished;

-If the user does not wish the calling number to appear on the screen of their telephone set in their absence, they can divert the phone to their voice-mail;

-The telephone directory of the institution is not public.

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

An application is used for the creation, modification and deletion of data necessary to use the telephony system (see also point 7)

9/ Automated / Manual processing operation

Automatic and Manual Processing

The "call data records" are used to produce a certain number of reports :

- A report is established every month concerning the use of service codes. The report shows the amount used for all codes. An accompanying note is made which lists those users who have incurred service code costs exceeding 150€. This report is communicated to the directors of the administration of the users concerned. Each line in the report contains the following information:

Staff number (where applicable), Name, Amount in€

- This information is sent to the CENTURIO database, so that the users can consult the cost of their own service calls. In Centurio, the user can consult the following information: Date, time, extension, number called, duration of call, cost

- A report is established every month concerning private codes for which the amount is above 25€. A note is sent to the users concerned. Each line in the record contains the following information:

Date, time, extension, number called, duration of call, cost

A report is established every month with the costs of calls using private codes. This information is sent to the NAP and CENTURIO databases, on the one hand to retain the amounts from the salaries and on the other hand to permit the users to consult the cost of their private calls. In Centurio the user can consult the following information:

Date, time, extension, number called, duration of call, cost

An anonymous report is generated every month on the use of the PRA's (connections to and from the outside world). The purpose of the report is to measure the volume of calls and to verify that a sufficient number of PRA's have been installed.

An anonymous report is generated every day in order to measure the number of communications established on the telephony infrastructure. This report is to verify the load on the infrastructure.

An anonymous report is generated every month in order to measure the number of calls established that month. The purpose of the report is to analyse the usage trends and the costs of the infrastructure.

A report is generated every day with the number of calls processed the previous day by each switchboard operator.

The purpose of the report is to analyse the usage trends.

Reports could be generated at the request of the competent authorities in the context of an investigation.

For solving technical problems, analysis may be carried out by the IT unit. such an analysis contains data such as the calling and called number. However, it does not contain the content of the conversations.

- For service gsm's, a report is sent to users every month under electronic format. This report is generated from data provided by the operator (currently Mobistar). The user is asked to declare any private usage of the service gsm. The declared amount is retained from their salary. A spending plan lists the overall expenditure per user. The spending plan is part of the financial file. No report is available in Centurio.

10/ Storage media of data

Hard-disk (primary) and tape (backup)

11/ Legal basis and lawfulness of the processing operation

The use of the telephony system is necessary for the performance of tasks carried out by the European Economic and Social Committee and Committee of the Regions as mandated by the treaties.

<p>12/ The recipients or categories of recipient to whom the data might be disclosed</p> <p>The directors of the administration – for calls established using service codes</p> <p>The persons responsible for recovery orders are informed of the amounts to be recovered from salaries in the case of private calls (i.e. only the amount to be recovered per user & no details of individual calls).</p> <p>Itemised bills from the telephony operators are kept in the IT unit for the same duration as the financial file.</p> <p>The format of the itemised bills depends on the operator:</p> <p>Belgacom - paper format. Lists all calls, giving called number, country called, duration and cost (no direct personal information)</p> <p>Equant - CD format. As above - city instead of country (no direct personal information)</p> <p>Proximus & Mobistar. Paper bills contains the global cost per user (no details of numbers called). Itemised bills containing all numbers are available via an online application on the website of the operator (only accessible to officials involved in preparing invoices in the IT-Telecom service) or are automatically sent by e-mail.</p> <p>The IT unit and its hierarchy for anonymous reports relating to the infrastructure.</p> <p>Competent persons working within the IT unit for ad-hoc reports relating to the telephone switchboard (e.g.follow-up of queries relating to usage of private or service codes or the use of service gsm's)</p>
<p>13/ retention policy of (categories of) personal data</p> <p>The data stored in electronic format (in the "call data records") are retained for a maximum period of 6 months.</p> <p>The data obtained from the telecommunications operators and used as the basis for billing are kept for the same duration as the financial files. The financial files for fixed telephony contain no information permitting direct identification of the data subject. The financial files for the use of service gsm's contains no information permitting direct identification of the data subject. The financial files relating to the recovery of private use of the service gsm contains a list of all dialled numbers and data related to roaming (if any).</p> <p>Anonymous data is kept indefinitely</p>
<p>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)</p> <p>BLOCKING:</p> <p>ERASURE:</p> <p>Data subjects have the right to obtain, without constraint, within three months of the receipt of a request, information regarding the processing of data relating to them. All requests must be submitted in writing. Such a request may be refused only where the provision of such information proves impossible or would involve for the department concerned an effort disproportionate to the final purpose</p>
<p>14/ Historical, statistical or scientific purposes</p> <p>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,</p> <p>Anonymous statistics are kept on the usage of the telephony system</p> <p>Billing data is kept with the financial file</p>
<p>15/ Proposed transfers of data to third countries or international organisations</p> <p>N/A</p>
<p>16/ The processing operation presents specific risk which justifies prior checking (please describe):</p> <p>N/A</p> <p>AS FORESEEN IN:</p> <p>Article 27.2.(a)</p> <p>Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,</p> <p>Article 27.2.(b)</p> <p>Processing operations intended to evaluate personal aspects relating to the data subject,</p> <p>Article 27.2.(c)</p> <p>Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,</p> <p>Article 27.2.(d)</p> <p>Processing operations for the purpose of excluding individuals from a right, benefit or contract,</p>

<input checked="" type="checkbox"/> Other (general concept in Article 27.1) E-monitoring.
17/ Comments
N/A
PLACE AND DATE: 18 October 2006
DATA PROTECTION OFFICER: Elena Fierro (for the EESC) and Petra Candellier (for the CoR)
INSTITUTION OR BODY: European Economic and Social Committee and the Committee of the Regions