

REGISTER NUMBER: 329

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 04/03/2008

Case number: 2008-135

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 address of the controller

2) Name and First Name of the Controller: WAGNER Werner

3) Title: Director

4) Directorate, Unit or Service to which the Controller is attached: E.07

5) Directorate General to which the Controller is attached: JRC

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

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

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

External companies in charge of physical protection and radiation protection duties

External companies in charge of the maintenance and the development of the software and hardware

3/ Name of the processing

Video surveillance for enforcement of contamination monitoring at JRC-ITU in Karlsruhe

4/ Purpose or purposes of the processing

The purpose of the processing is to meet the legal requirements of Art. 44 of the StriSchV regarding contamination monitoring.

5/ Description of the category or categories of data subjects

14) Data Subject(s) concerned:

All persons (JRC staff and external staff under contract) and visitors with access the controlled areas of ITU

16) Category(ies) of Data Subjects:

Refer to 14

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

17) 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

Identification data: name, surname, ITU ID Number

Personal access rights: access time periods, respective controlled areas

Requirements pursuant to the StrISchV regarding the operational protection of exposed workers: valid yearly medical clearance, dose limits, attendance to yearly safety instructions in time, completion of yearly incorporation monitoring in time, Interdiction of access due to an occurrence under investigation.

Requirement pursuant to the StrISchV regarding the operational protection of visitors: Yearly dose limit.

- Temporary interdiction of access due to a radiological occurrence under investigation,
- Personal data of a stay inside a controlled area: Access/ exit date and time to/ from the respective controlled area, digital image recordings of each access at each singularisation control field at the respective access door, video stream recordings of the respective access and exit doors.

Additionally, in case of alarm,:

- Video sequences and digital image recordings linked with the personal identification in case of violation of regulations, or
- Contamination data linked with personal identification in case of contamination detection.

Processing of data is subjected to art. 10.

18) 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

Refer to 17

The process falls under art. 10.

7/ Information to be given to data subjects

15a) 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'

Information according to art. 11 and 12 are given to the data subjects:

- JRC staff and external staff under contract: when they receive the first compulsory radiation protection information session (see enclosed Privacy statement);
- Visitors: when they get their dosimeter (see enclosed Privacy statement).
- Labels informing on video surveillance are affixed at the respective places.

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

15b) 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' :

The concerned data subjects can exert their rights according to Art. 13-19 ("Rights of the data subjects") by consulting the controller of the Video surveillance system as indicated in the Privacy Statement.

9/ Automated / Manual processing operation

7) 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)"

A video-based surveillance system is connected with an access control system for all secured access doors to the controlled areas, as well for the booths of the whole-body contamination monitors at their exits.

The process aims to enforce the provisions of Art. 44 of the Radiation Protection Ordinance (StrlSchV), according which each person having entered the controlled area must undergo an individual contamination monitoring, prior to exiting from it.

It intends to detect access / exit proceedings in non-compliance with legal and safety requirements, or to minimise a radiological risk in case of contamination occurrence, at the latest at the boundary of a controlled area.

The video surveillance for enforcement of contamination monitoring and the access control database process the following information:

Identification data: name, surname, ITU ID Number

Personal access rights: access time periods, respective controlled areas

Requirements pursuant to the StrlSchV regarding the operational protection of exposed workers: valid yearly medical clearance, dose limits, attendance to yearly safety instructions in time, completion of yearly incorporation monitoring in time, Interdiction of access due to an occurrence under investigation.

Requirement pursuant to the StrlSchV regarding the operational protection of visitors: Yearly dose limit

Personal data of a stay inside a controlled area: Access/ exit date and time to/ from the respective controlled area, digital image recordings of each access at each singularisation control field at the respective access door, video stream recordings of the respective access and exit doors.

Additionally, in case of alarm,

- Video sequences and digital image recordings linked with the personal identification in case of violation of regulations, or
- Contamination data linked with personal identification in case of contamination detection.

8) Automated Processing operation(s):

Automated processing operations:

- Name, surname, ITU ID Number,
- Access request with authorisation check according to the personal current access rights and requirements (cf. 7)
- If access enabled: Access date and time to the respective controlled area,
- Exit date and time from the respective controlled area.
- Assessment of the daily balance of the personal access / exits and issuing of a daily report for persons with non compliance with regulations.
- Video stream recording using RAM ring buffer with overwriting after 20 minutes of capacity storage.
- Storage of each digital image recording for each singularisation control field at the access and exit doors.

9) Manual Processing operation(s):

The security and radiation protection services have to attribute the relevant parameters for the access control into the database:

Identification data: name, surname, ITU ID Number

Personal access rights: access time periods, respective controlled areas

Requirements pursuant to the StrlSchV regarding the operational protection of exposed workers: valid yearly medical clearance, dose limits, attendance to yearly safety instructions in time, completion of yearly incorporation monitoring in time, possible interdiction of access due to an occurrence under investigation.

Requirement pursuant to the StrlSchV regarding the operational protection of visitors: Yearly dose limit

In case of alarm, authorised persons of the security and radiation protection services have to retrieve and draw up the following files:

- Video sequences and digital image recordings of the concerned access / exit area captured and stored temporally in case of violation of regulations, linked to the name, surname, ID number of the concerned person, or
- Contamination data captured and stored temporally in case of contamination detection, linked to the name, surname, ID number of the concerned person.

The responsible persons of the AGS (e.g. the qualified expert or substitutes) have to conduct the necessary investigations, in case of non-compliance with safety and legal requirements or of a contamination occurrence and provide a report to the superiors of the persons concerned or to the national German competent authorities accordingly.

10/ Storage media of data

Electronic storage media

11/ Legal basis and lawfulness of the processing operation

11) Legal basis of Processing:

German legislation:

Atomgesetz (AtG) Art 54 (German Atomic Act)

Strahlenschutzverordnung (StrlSchV) Art 44 (German Radiation Protection Ordinance)

12) 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)"

Art. 5a): The 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.

Art. 5b) The processing is necessary for the compliance with legal obligation to which the controller is subjected.

The process falls under Art. 27

12/ The recipients or categories of recipient to whom the data might be disclosed

20) Recipient(s) of the Processing:

- ITU-Staff of the physical protection service and the radiation protection service,
- ITU-contracted staff of the physical protection service and the radiation protection service,
- ITU superiors of the persons concerned;

Transfer of data is subjected to art. 7

- Superiors of the contracting company of the external persons concerned,
- National German competent authorities;

Transfer of data is subjected to art. 8

21) Category(ies) of recipients:

Refer to 20

13/ retention policy of (categories of) personal data

- The video streams of the video surveillance are kept for a maximum of 20 minutes (they are overwritten automatically), except in case of occurrences regarding non-compliance with regulations or contamination.
- The digital recordings of singularisation control fields at the access and exit doors are to be erased monthly.
- The current personal access rights and requirements are to be erased from the database within one month after contract termination.

In cases of non-compliance with regulations or contamination the relevant files:

- Video sequences and digital image recordings linked with the personal identification in case of violation of regulations, or
 - Contamination data linked with personal identification in case of contamination detection,
- will be kept as long as the respective occurrence is under investigation.

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)
(on justified legitimate request from the data subject)
(Please, specify the time limits for every category, if applicable)

22 b) Time limit to block/erase data on justified legitimate request from the data subjects

After a justified and legitimate request, a blocking/erasing of data will be made within a month.

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,

22 c) 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

Only anonymous statistical data

15/ Proposed transfers of data to third countries or international organisations

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 community institutions and bodies and to member states under question 20.

Non applicable

28) Category(ies) of Personal Data or Personal Data to be transferred:

Refer to 17 and 18

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

7) Description of Processing:

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

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

n/a

☐ Article 27.2.(c) Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,

n/a

☐ Article 27.2.(d) Processing operations for the purpose of excluding individuals from a right, benefit or contract,

n/a

☐ Other (general concept in Article 27.1)

n/a

17/ Comments

1) Date of submission:

10) Comments if applicable:

Definitions and acronyms:

ITU = Institute for Transuranium Elements

AGS = Unit Nuclear Safety / Abteilung Gesundheitsschutz und Strahlungsüberwachung

StrlSchV: Strahlenschutzverordnung (German Radiation Protection Ordinance)

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.

If Yes, please explain what is applicable.

no

37) Complementary information to the different questions if applicable, including attachments to this notification which should not be public :

PLACE AND DATE:04/03/2008

DATA PROTECTION OFFICER: RENAUDIERE Philippe

INSTITUTION OR BODY:European Commission