

**REGISTER NUMBER: 518**

**NOTIFICATION FOR PRIOR CHECKING**

Date of submission: 15/7/2009

Case number: 2009-468

Institution: OHIM

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

*(1) OJ L 8, 12.01.2001*

**INFORMATION TO BE GIVEN<sup>(2)</sup>**

*(2) Please attach all necessary backup documents*

1/ Name and adress of the controller

Director of Human Resources Department (at the moment of writing, Mr Peter Lawrence)

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

3/ Name of the processing

Management of personal data of staff on general HR database

4/ Purpose or purposes of the processing

Compliance with the rules and procedures laid down by the Staff Regulations for statutory staff members and their relatives from which relationship rights may derive, and the management of data subjects working for/in OHIM as external staff for physical access rights, access rights to network, attribution of equipment and office space, etc.

5/ Description of the category or categories of data subjects

See table in Annex.

<p>6/ Description of the data or categories of data(<i>including, if applicable, special categories of data (article 10) and/or origin of data</i>)</p>
<p>7/ Information to be given to data subjects</p> <p>Each data subject is informed by a data protection statement available on the page he/she accesses own data (Annex 2).</p>
<p>8/ Procedures to grant rights of data subjects(<i>rights of access, to rectify, to block, to erase, to object</i>)</p> <p>Each data subject has read-only access of own data. Data subjects may address a written request to HRD for rectification of any incomplete or inaccurate data. For some data categories (private address, private telephone number, etc., it is foreseen that data subjects may rectify their own data. Data subjects may address a written request to HRD for blocking data in the cases foreseen by article 15 of Regulation 45/2001. Data subjects may address a written request to HRD for erasing data in the cases foreseen by article 16 of Regulation 45/2001. Data subjects may address a written request to HRD for objecting to the processing of data in the cases foreseen by article 18 of Regulation 45/2001.</p>
<p>9/ Automated / Manual processing operation</p> <p>It is an automated processing operation. The HR database has restricted access rights designed for each type of information, and is given individually to each profile following the type of job in HR, staff member, line manager, director, reporting officer, IT-technician.</p> <p>The database is password protected under single sign-on system and automatically connected to the user ID</p>
<p>10/ Storage media of data</p> <p>No time limits are considered for the data and documents regarding the personal data as they are a part of / refer to the personal file existing in the Office until transfer to another institution, permanent leave or retirement</p>
<p>11/ Legal basis and lawfulness of the processing operation</p> <p>Article 5(a) , (b), (c), (d) and (e) of Regulation 45/2001 :</p> <p>Article 5(a) of Regulation 45/2001 (“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 [...]”)</p>

<p>12/ The recipients or categories of recipient to whom the data might be disclosed</p> <p>Personal data are disclosed as follows:</p> <ul style="list-style-type: none"> <li>- Members of staff in the Human Resources Department for management of the data for processing purposes, for the procedures of which they are in charge;</li> <li>- Each staff member has read-only access of own data; for some data categories (private address, private telephone number, etc.), it is foreseen that data subjects may rectify their own data.</li> <li>- The line manager of the staff member has read-only access to a limited number of data (working time, absences, information on administrative career, appraisal, etc, depending on the specific profile of the line manager).</li> <li>- Information Centre (information with regard to the availability of data subject in order to attend incoming calls, and generally, improve OHIM users' satisfaction, in accordance with notification DPN-2006-010)</li> <li>- PMO and Finance Department for salary/payment/bank account details.</li> </ul>
<p>13/ retention policy of (categories of) personal data</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>14/ Historical, statistical or scientific purposes <i>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,</i></p>
<p>15/ Proposed transfers of data to third countries or international organisations</p> <p>Procedures for which data are transferred to thiurd parties will the be subject of separate declarations to the DPO/EDPS.</p>
<p>16/ The processing operation presents specific risk which justifies prior checking (<i>please describe</i>): Prior checking is advised with respect to processing personal data in view of collecting the professional abilities (Art 27 2 b)</p>

AS FORESEEN IN:

☐ Article 27.2.(a)

Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

☐ Article 27.2.(b)

Processing operations intended to evaluate personal aspects relating to the data subject,

☐ Article 27.2.(c)

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

☐ Article 27.2.(d)

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

☐ Other (general concept in Article 27.1)

17/ Comments

PLACE AND DATE:

DATA PROTECTION OFFICER:

INSTITUTION OR BODY: