

*(To be filled out in the EDPS' office)*  
**REGISTER NUMBER: 1056**

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**NOTIFICATION FOR PRIOR CHECKING**

**DATE OF SUBMISSION: 28/06/2013**

**CASE NUMBER: 2013-0741**

**INSTITUTION: EDA**

**LEGAL BASIS: ARTICLE 27-5 OF THE REGULATION CE N° 45/2001<sup>(1)</sup>**

**INFORMATION TO BE GIVEN**

1/ NAME AND ADDRESS OF THE CONTROLLER

Jan-Paul Brouwer, Head of Human Resources Unit - rue des Drapiers 17-23 – 1050 Bruxelles.

2/ ORGANISATIONAL PARTS OF THE INSTITUTION OR BODY ENTRUSTED WITH THE PROCESSING OF PERSONAL DATA

HR Unit.

3/ NAME OF THE PROCESSING

EDA Leave Management.

4/ PURPOSE OR PURPOSES OF THE PROCESSING

The management of all entitlements for annual leave, special leave, sick leave and in general all the related working conditions of Temporary Agents (TA), Contract Agents (CA), Seconded National Experts (SNE) and Interns at EDA.

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<sup>1</sup> OJ L 8, 12.01.2001.

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

There are 2 main categories of data subjects, namely:

- EDA Staff, including Temporary Agents (TA), Contract Agents (CA), Seconded National Experts (SNE) and Interns (SNE and Interns for a restricted number of leave entitlements);
- In connection to special categories of leave, relatives of EDA staff, including spouse, children and relatives in ascending line.

6/ DESCRIPTION OF THE DATA OR CATEGORIES OF DATA (*including, if applicable, special categories of data (Article 10) and/or origin of data*).

Identification of the data subject

o As concerns EDA staff :

Main employment & career data at EDA: start date of EDA employment, category/status, termination of contract with EDA, place of origin, age;

Justification documents for various categories of specific leave, information on carry-over of not taken annual leave from the previous year;

Information on the EDA staff member's family situation, including the relationship to family members.

o Special categories of personal data in the sense of art. 10 (2) of Regulation (EC) 45/2001, especially:

Health related data, including medical certificates, confirmation on treatment/medical appointments, medical data and health diagnosis information of the EDA staff members and of their relatives, including spouse, children, relatives in ascending line. The processing of medical personal data has been notified to the EDPS in an EDA prior notification on "Processing of Health data at EDA".

Information on political appointment and participation in elections of the EDA staff member.

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

The user guide of the electronic leave management system is available to all EDA staff on the HR intranet (**see annex 1**). A specific note on processing of personal data in the context of leave management is available on the EDA HR intranet (**see annex 2**).

During the Induction Day for newly recruited staff an HR representative gives information on the leave entitlements.

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

(Rights of access, to rectify, to block, to erase, to object)

All staff members have access to the 1st stage of the electronic leave workflow, in order to make a leave request. Staff members can consult their individual leave balance and entitlements via the electronic Leave Management System. The HR Unit has editing rights to the electronic Leave Management System.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

The operation is both automated and manual, the documents revealing personal health situation are stored in a locked filing cupboard with limited access to the HR Unit.

10/ STORAGE MEDIA OF DATA

Leave requests are stored in an electronic database. Medical certificates with no indication of the medical diagnosis are stored in a locked cupboard with limited access to the HR Unit.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

EDA Staff Regulations Art. 50 to Art. 57 for Temporary Agents, Art. 110 for Contract Agents, Art. 12, 13. The EDA Staff Regulations is available on the following link:  
<http://www.eda.europa.eu/docs/default-source/documents/consolidated-eda-staff-regulations-en.pdf>.  
Art 30 for SNE's, the SNE's rules are available on the following link:  
<http://www.eda.europa.eu/docs/documents/rules-applicable-to-national-experts-and-military-staff-on-secondment.pdf>. Art. 11 for Interns (see annex 3).

12/ THE RECIPIENTS OR CATEGORIES OF RECIPIENT TO WHOM THE DATA MIGHT BE DISCLOSED

The Line Manager of the data subject and his/her Head of Unit, his/her Director, the Chief Executive, the Deputy Chief Executive, the Corporate Services Director, the HR Unit, the Council Medical Service, the European Council Invalidity Committee, the EDA IT Unit (for support on the electronic management system), the EDA Internal Auditor, the College of Auditors, the European Ombudsman, OLAF and the Civil Service Tribunal.

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

Annual/Special and Sick Leave requests are stored electronically in the leave management workflow on the EDA Server. Medical certificates with no indication of the medical diagnosis are stored in a locked cupboard with restricted access to the HR Unit. Such data is kept for a period of 5 years.

13 A/ TIME LIMIT TO BLOCK/ERASE ON JUSTIFIED LEGITIMATE REQUEST FROM THE DATA SUBJECTS

Data subjects can exercise their rights at any time by contacting HR staff in charge. Justified requests for blocking and erasure will be handled within 10 working days.

14/ HISTORICAL, STATISTICAL OR SCIENTIFIC PURPOSES

The leave management tool is used to run several reports including statistics on sick and special leave and leave requests per directorates.

15/ PROPOSED TRANSFERS OF DATA TO THIRD COUNTRIES OR INTERNATIONAL ORGANISATIONS

Not applicable.

16/ THE PROCESSING OPERATION PRESENTS SPECIFIC RISK WHICH JUSTIFIES PRIOR CHECKING (*Please describe*):

AS FORESEEN IN:

↑ Article 27.2.(a)

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

17/ COMMENTS

None.

PLACE AND DATE: [BRUSSELS, .28 JUNE 2013](#)

DATA PROTECTION OFFICER: [M. ALAIN-PIERRE LOUIS](#)

INSTITUTION OR BODY: [EDA](#)

Annexes:

Annex I: User guide of the electronic leave management system.

Annex II: Note on processing of personal data in the context of leave at EDA.

Annex III: Decision N°10/05 rules concerning internship in the EDA.