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| **REGISTER NUMBER: [NN]/2015** |
| **NOTIFICATION FOR PRIOR CHECKING** |
| Date of submission: 30 April 2015  Case number:  Institution: Agency for the Cooperation of Energy Regulators  Legal basis: Article 25 of Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (1) |
| *(1) OJ L 8, 12.01.2001* |
| **INFORMATION TO BE GIVEN**(2) |
| *(2) Please attach all necessary backup documents* |

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| **1/ Name and address of the controller**  Agency for the Cooperation of Energy Regulators (“the Agency”)  Trg republike 3  1000 – Ljubljana  Slovenia |
| **2/ Organisational parts of the institution or body entrusted with the processing of personal data**  The Agency’s department in charge of processing the personal data is the Administration Department.  The contact person for the processing of the personal data is the Human Resources Assistant.  Mr. Goran Vaskrsic  Human Resources Assistant  Postal address:  Trg republike 3  1000 – Ljubljana  Slovenia  Phone number: +386 (0) 820 04 601  Email: goran.vaskrsic@acer.europa.eu |

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| **3/ Name of the processing**  The collection of contact information and of portrait photos (the “photo(s)”) of staff members and other staff in service (together the “data subject(s)”) for publication on the Agency’s intranet and use in other means of internal communication (e.g., instant messenger service, outlook). |
| **4/ Purpose or purposes of the processing**  The processing allows staff to identify and contact their colleagues in the Agency and, consequently, will improve the Agency’s efficiency and internal transparency. This data will be only accessible to staff members who have access to the Agency’s intranet from their workplace or portable device. |
| **5/ Description of the category or categories of data subjects**  The following categories of data subjects can be identified:   1. Staff Members of the Agency (temporary agents, contract agents). 2. Other staff (seconded national experts (SNE), interim staff and trainees) |
| **6/ Description of the data or categories of data**  Data consists of:   1. Name; 2. Surname; 3. Position held in the Agency; 4. Professional e-mail address and professional phone number; 5. Office number; 6. Photo of the data subject.   The photos reveal gender, and potentially could reveal racial or ethnic origin and approximate age. |

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| **7/ Information to be given to data subjects**  At the time the photos are requested, data subjects will be informed that submission is voluntary and will receive the Privacy Statement.  The Privacy Statement (Annex 1) contains the following information:   1. the identity of the controller in practice; 2. the purposes of the processing operation for which the data are intended; 3. lawfulness of the processing operation; 4. the legal basis of the processing operation for which the data are intended; 5. categories of data collected and processed; 6. recipients of the data processed; 7. data storage and data retention policy; 8. data subject rights (including the existence of the right of access to, and the right to rectify, the data concerning him or her; 9. contact details of the data controller. 10. the right to have recourse at any time to the Data Protection Officer and the European Data Protection Supervisor. |
| **8/ Procedures to grant rights of data subjects**  The rights of data subjects are defined by Regulation (EC) No 45/2001.  Data subjects are informed of their rights in a Privacy Statement (please see Annex 1) which is provided to the data subjects at the time the photo is requested.  In the Privacy Statement, data subjects are informed that if they wish to exercise their rights they may contact either:   1. the Agency’s department in charge of the processing; or 2. the Agency’s Data Protection Officer.   Further, data subjects are informed that they may, at any time, consult the data controller, contact the Data Protection Officer of the Agency, and have recourse to the European Data Protection Supervisor (www.edps.europa.eu). |
| **9/ Automated / Manual processing operation**  Personal data is subject to manual and automated processing operations:  Manually: The personal data will be input manually. The photos will only be manipulated to a limited extent (cropping, reduction of file-size, etc.), to prepare them for publication on the website and to ensure they are presented in a uniform way.  Automated: for the uploading, updating, access to and erasure of personal data on the Agency’s server/website. |

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| **10/ Storage media of data**  The contact information and the photos will be stored on the server of the Agency. This part of the server is only accessible to HR team members.  The intranet is accessible to Agency staff members. |
| **11/ Legal basis and lawfulness of the processing operation**  Article 5(a) of Regulation No (EC) 45/2001 is the legal basis for the processing of data subjects’ contact information. The processing, which will enable staff members to contact their colleagues and perform their professional tasks, is considered necessary for the performance of a task in the public interest on the basis of a legal instrument adopted on the basis of the Treaty on the Functioning of the European Union, namely, Regulation (EC) No 713/2009 of 13 July 2009 establishing an Agency for the Cooperation of Energy Regulators.  Article 5(d) of Regulation No (EC) 45/2001 is the legal basis for the processing of photos in so far as the data subject must give his or her unambiguous consent thereto. |
| **12/ The recipients or categories of recipient to whom the data might be disclosed**  In line with the purposes of data processing, the data is disclosed to the staff members of the Agency via the intranet, accessible only via authenticated profiles (as further explained under point 18).  After the end of service or upon request of the staff member concerned, the contact information and photos will be removed from the Agency’s intranet, as well as erased from the S drive. |
| **13/ Retention policy of (categories of) personal data**  The data retention period foreseen for the purpose of the processing operation is until the end of service of the data subject at the Agency or upon request of removal and/or erasure by the data subject. |

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| **13 a/ time limits for blocking and erasure of the different categories of data  (on justified legitimate request from the data subject)**  Not Applicable |
| **14/ Historical, statistical or scientific purposes**  Not Applicable |
| **15/ Proposed transfers of data to third countries or international organisations**  Not Applicable |
| **16/ The processing operation presents specific risk which justifies prior checking**  Not applicable |
| **17/ Comments**  Not applicable |
| **18/ Measures to ensure security of processing *(3)* *these measures are described in Article 22 of Regulation 45/2001.***    Photos and contact information will be saved on “S” drive, in a separate folder accessible only to HR team members. Intranet is accessible only for active staff members of the Agency. |

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| PLACE AND DATE: Ljubljana, Slovenia; 30 April 2015  DATA PROTECTION OFFICER: Kate Bousfield-Paris  INSTITUTION OR BODY: Agency for the Cooperation of Energy Regulators |