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| *To be filled out in the EDPS' office***REGISTER NUMBER:** |
| **NOTIFICATION FOR PRIOR CHECKING** |
| Date of submission: Case number:Institution:Legal basis: article 27-5 of the regulation CE 45/2001(1) |
| *(1) OJ L 8, 12.01.2001* |

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| **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 RegulatorsTrg republike 3SI-1000 LjubljanaSlovenia |
| **2/ Organisational parts of the institution or body entrusted with the processing of personal data** The department in charge of processing of the personal data is the Administration Department, and within that department more specifically Human Resources section.Ms Olga Borissova, Head of AdministrationPostal address:Agency for the Cooperation of Energy Regulators (ACER)Trg republike 3, SI-1000 Ljubljana, SloveniaE-mail: olga.borissova@acer.europa.eu Phone: +386 (0) 820 53 402 |
| **3/ Name of the processing** Teleworking |
| **4/ Purpose or purposes of the processing** *Personal information on staff, interested in teleworking, is needed to ensure it is organizationally and technically feasible.*  |
| **5/ Description of the category or categories of data subjects** *Data subjects:* * *Hierarchical Supervisor / department*
* *Telework candidate*
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| **6/ Description of the data or categories of data*** *Hierarchical Supervisor / department: information relating to the person authorizing the teleworking request / information of the associating department*
* *Name & Surname of data subject (telework candidate): information relating to the identification of the teleworking candidate*
* *User Name / Login: working credentials of the teleworking candidate*
* *Dates (start – end) of telework: information relating to the teleworking period; date of start and date of end*
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| **7/ Information to be given to data subjects** * *The identity of the controller: information relating to the identity of the person in charge of the Telework request*
* *The purpose of the processing: Ensuring that telework is organizationally and technically feasible*
* *The recipients of the data:*
* *HR Section (managing requests, monitoring overtime of teleworking)*
* *Hierarchical supervisor (approval of requests)*

*The rights of the data subjects:* *The data subjects are safeguarded by a general right, which is that the EU institutions and bodies must process their personal data fairly and lawfully, and only for legitimate purposes. This general right is complemented by a number of specific rights of the data subject, such as the right to know if an institution or a body is processing data concerning him or her. The data subject also has the* [*right to information*](https://secure.edps.europa.eu/EDPSWEB/edps/site/mySite/lang/de/pid/86#right_information) *about the particular processing, and the* [*right to object*](https://secure.edps.europa.eu/EDPSWEB/edps/site/mySite/lang/de/pid/86#right_to_object) *to the processing on compelling and legitimate grounds.**The right to be informed obliges the controller to provide the data subjects with information such as:** *the identity of the controller;*
* *the purpose of the processing;*
* *the recipients of the data;*
* *the rights of the data subjects.*

*Once the data have been registered, the data subject can also, except in certain determined cases, obtain (free of charge) from the controller:** [*access*](https://secure.edps.europa.eu/EDPSWEB/edps/site/mySite/lang/de/pid/86#right_access) *to his or her personal data and to information concerning the processing;*
* [*rectification*](https://secure.edps.europa.eu/EDPSWEB/edps/site/mySite/lang/de/pid/86#right_rectification) *of inaccurate or incomplete data;*
* *blocking of data whose accuracy is contested;*
* *erasure of data if the processing is unlawful;*
* *notification of any deletion, rectification or blocking of his or her data to a third party to whom the data have been disclosed.*

*The data subject is also entitled to be informed before his or her personal data are disclosed for the first time to third parties. The data subject has the right to object to such disclosure.* |
| **8/ Procedures to grant rights of data subjects** *Person concerned has access to their records at all time.* |
| **9/ Automated / Manual processing operation** *Whole process is automated in the HR Tool (Teleworking request).*  |
| **10/ Storage media of data***All data is stored in SharePoint database.* |
| **11/ Legal basis and lawfulness of the processing operation** *Purpose of data collection and processing is to implement Article 110 of Staff Regulations of Officials of the European Communities and the Conditions of Employment of Other Servants of the European Communities laid down by the Council Regulation No 256/682 as well as Rules of Procedure of Administrative Board, laid down by Decision AB 03/2010 of 6 May 2012, in particular Article 9(2).**The processing is necessary in order to fulfill tasks of HR section related to implementation of above mentioned legal basis and to enable every staff member (Agency staff – including Temporary Agents, at managerial and executive level, Contract Agents and staff seconded to the Agency – including Seconded National Experts) to telework in accordance with AB decision No 21/2012 on the Implementation of Teleworking.* |
| **12/ The recipients or categories of recipient to whom the data might be disclosed***Data on teleworking is disclosed only to person concerned. HR team and IT assistant have access to the records. Authorized staff from external bodies (CoA, IAS of EC) may also access the records for audit purposes.* |
| **13/ Retention policy of (categories of) personal data** *Data is stored in the SharePoint database for 2 years.* |
| **13 a/ time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject)***There is not provision for blocking or erasure of once established entitlement.* |
| **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** *Prior checking of data relating to entitlements is done at recruitment stage when the birth date is confirmed with original personal documents, eligibility to grade is verified by original certificates of employment. Furthermore place of origin and distance to thereof from place of employment is established by Paymasters Office (PMO.1) on basis of implementing rule C-2004-1364 of 15.04.2004.* |
| **17/ Comments** |
| **18/ Measures to ensure security of processing *(3)**these measures are described in Article 22 of Regulation 45/2001.*** *During the processing the data is available only to the person concerned, and HR personnel. Data is available also to the IT Assistant conducting the technical supervision of the tool managing records of leave entitlements.* *Security is ensured by adequate rights of access granted only to parties that have to be involved in the workflow. Rights assigned to person are linked to personal computer and passwords mechanisms prevent unauthorized access. Data once recorded can be accessed by the person concerned in read only mode. HR personnel and IT assistant only have rights to delete data. The database itself is meeting the EC security standards implemented by IT team.*  |

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| PLACE AND DATE: Ljubljana, Slovenia; [DATE]DATA PROTECTION OFFICER: Paul MartinetINSTITUTION OR BODY: Agency for the Cooperation of Energy Regulators  |