

Notification to the Data Protection Officer under Article 25 of the Rules on Data Protection (Decision 235/16/COL) ('the Rules')

Changes affecting the information contained in the notification must be notified promptly to the Data Protection Officer, see Article 25(3) of the Rules.

Date of submission: 19.12.2017

Part 1: Processing

- Unit responsible for the processing operation

LEA, IMA, CSA, ADM, COL

- Name of processing operation

Handling enquiries from the public and journalists

- General description of the processing operation

ESA receives enquiries from members of the public and journalists, seeking information about ESA's work. This notification does not include requests for access to documents.

Enquiries from journalists are handled by the Communications team, in consultation with case-handlers, the legal officer, the Directors or Deputy Directors and College Members as appropriate.

Enquiries from members of the public are received by the Registry, by case-handlers or by legal officers and are dealt with by the part of the organisation which is most appropriate to give an answer. Usually this will be the case-handler in IMA or CSA for substantive matters. The Registry and LEA tend to act as coordinators, and the Communications team and Directors/Deputy Directors/College may be involved if the matter is politically sensitive.

The name and email of the enquirer will be communicated to the persons involved in answering an enquiry. These details are put into a GoPro case pertaining to the enquiry. If answering the enquiry involves communicating with a third party, the enquirer is asked whether they wish to opt for confidentiality (ie anonymization of the enquiry) in a manner analogous to ESA's process for complaints handling. Once the enquiry is resolved (usually with ESA's response, or by escalation into a formal complaint), the enquiry case will be marked as closed.

For clarity, the retention by the Communications Team of data such as professional contact details of journalists will be treated as incidental processing, even if such data are initially generated within the context of a journalist's enquiry. Accordingly, such data may be

retained by the Communications Team for future contact purposes beyond ESA's response to the original enquiry.

- Sub-contractors

None

- Automated / Manual operations

Collection of enquirer's name and contact details (usually only email address or phone number) (automatic, eg email, or manual, eg phone enquiry)

Entry of personal data onto a GoPro enquiry case (manual) and storage therein (automatic).

Possible transmission to third parties if data subject consents to this processing (manual).

Deletion of data in line with archiving policy (manual)

- Comments

No prior checking is likely to be necessary

- Security measures

Security measures as applicable to the Authority's IT infrastructure (as specified in Doc No 846315) including the GoPro system (Doc No 858099) and email system (Doc No 846314).

Part 2: Purpose and legal basis

- The purpose(s) of the processing operation

Data is collected as part of an enquiry (in that it is necessary to know the name and contact details in order to respond to the enquiry, and personal data relevant to the situation may be needed in order to fully assess the issue). Enquiries form part of ESA's ongoing monitoring activities under the EEA Agreement.

- The legal basis of the processing operation

EFTA Surveillance Authority Decision 235/16/COL on Data Protection Rules, Article 5 (a) and 5 (d) if the data are transmitted to EFTA States or other third parties (as consent of the data subject is sought before contact with third parties).

Part 3: Data subjects/fields

- Categories of data subjects

Persons sending enquiries to the Authority

- Categories of data / Data fields

Name, contact details (phone number and/or email), place of work (if the contact is a professional journalist) and other personal data relevant to the situation (such as details of a personal situation in which the rights or the obligations of the enquirer may be affected by EEA law).

Part 4: Rights of the data subjects

- Information to be provided to the data subjects

Standard response paragraph to be added to first email response to enquiries, as follows:

Thank you for your enquiry to the EFTA Surveillance Authority.

We will respond to your email as soon as possible. We will treat your enquiry in accordance with our data protection policy, which can be found under the following hyperlink: www.eftasurv.int/data-protection.

- Procedure to grant rights

Authority procedure for data subject requests (DSR) (Doc No 863894).

- Retention policy and time limit

Delete upon closure of the enquiry case (using GoPro phase). Enquiries should be closed once the issue has been dealt with.

Part 5: Recipients

- Categories of recipients of the data

ESA Staff

- Transfer of the data

EFTA States (with consent of the data subject).