

Cedefop record of processing activity

Record of Cedefop activities processing personal data, based on Article 31 of Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No. 45/2001 and Decision 1247/2002/EC.

Nr.	Item	Description
Health data and medical files		
1.	Last update of this record	16/03/2020
2.	Reference number	Case no 2010-0001 Health Data and case no 2008-194 Medical Files
3.	Name and contact details of controller	<p><u>Cedefop – European Centre for the Development of Vocational Training</u> Postal address: Cedefop Service Post, Europe 123, 570 01 Themi, GREECE Telephone: (+30) 2310-490111 Email: info@cedefop.europa.eu</p> <p>Responsible department or role: DRS / Human Resources</p> <p>Functional email address for enquiries on processing of personal data: hr_data_protection@cedefop.europa.eu</p>
4.	Name and contact details of DPO	data-protection-officer@cedefop.europa.eu
5.	Name and contact details of joint controller (where applicable)	n/a
6.	Name and contact details of processor (where applicable)	Medical officer (external contractor – K. Kazakos) Department of Resources and Support - Human Resources
7.	Very short description and purpose of the processing	The purpose of this processing operation is to ensure that the data subject is physically fit to perform his/her duties.

		<p>The legal basis of the processing operation relating to the pre-employment medical check-ups are the Staff Regulations and in particular Articles 28 (e) and 33, and the Conditions of Employment of Other Servants (CEOS) Articles 13 and 95. The replies to the questions are obligatory since all the documents requested are necessary to facilitate the recruitment process.</p> <p>The legal basis for the medical annual visits is Article 59(6) of the Staff Regulations and Article 16 of CEOS.</p> <p>The legal basis for the registration of sickness is Article 59(1) of the Staff Regulations and Article 16 of CEOS.</p>
8.	Description of categories of persons whose data Cedefop processes and list of data categories	<p>Data subjects:</p> <ul style="list-style-type: none"> • Officials • Temporary agents • Contract agents • Seconded National Experts (exceptionally) • Trainees (exceptionally) <p>Categories of personal data processed:</p> <p>Data undergoing process is health data, namely data related to the health status of a person.</p> <p>First, health data refer to medical files that are kept in the medical officer's office at Cedefop. Medical files include medical reports, laboratory tests, medical questionnaires (e.g. at the pre-recruitment medical examination phase).</p> <p>Second, health data refer to administrative documents that include personal data relating to the health status of a person. These include medical certificates (eg. documents certifying medical aptitude for work; forms concerning sick leave or the reimbursement of medical expenses).</p> <p><u>Specific data undergoing processing are the following :</u></p>

		<p>1) medical service form (at pre-recruitment) that includes :</p> <p>a. surname, first name, date and place of birth, address, nationality, data of the doctor in country of origin and of the doctor in the country of residence, marital status, information on military service duties ;</p> <p>b. information on the qualifications, previous work experience, occupation, present contract, previous work on a Visual Display (VDU) and occupational diseases;</p> <p>c. family medical history</p> <p>d. information on previous diseases and undergone treatments</p> <p>2) medical report which includes the results of the medical examinations (individual report given to staff member by Medical Officer) ;</p> <p>3) annual medical examination form</p>
9.	Time limit for keeping the data	<p>Cedefop acknowledges that a period of 30 years can in most cases be considered as the absolute maximum during which data should be kept in this context.</p> <p>Conservation periods necessary for specific medical documents are considered on a case by case basis. These conservation periods are determined in relation to the nature of the respective document and the necessity to keep the particular data. For example, Cedefop applies the following</p> <p>Data related to sick leave: taking account of Article 59(4) of the Staff Regulations, certificates related to sick leave will be conserved for a period of 3 years for data necessary to justify an absence due to sick leave. This can be extended to five years in cases of dispute.</p> <p>Non-recruited persons: The medical data of not recruited persons will be kept for 1 year, i.e. the period during which it is possible to challenge the data or the negative decision taken on the basis of the data. They will be kept longer only if related legal proceedings are underway.</p> <p>Visitors/trainees/others: The persons' medical data will be stored by the medical officer for a period of 2 years. This period will be extended only if related legal proceedings are pending.</p>
10.	Recipients of the data	<ul style="list-style-type: none"> • For the pre-employment medical check-ups and the annual visits the

		<p>recipients are the Medical Officer of Cedefop and the Human Resources Service (which only processes the “fit to work” certificate issued by the Medical Officer)</p> <ul style="list-style-type: none"> • In case the annual medical check-up is performed with a medical practitioner of the data subject’s choice, the results of the examination will still be submitted to the Cedefop Medical Officer that bears the responsibility for issuing the “fit to work” certificate on the basis of the medical results, and an examination conducted by him/her. • For the registration of sick leave, the recipients of the data (certificate of the Medical Officer which is based on the doctor’s certificate of the data subject, but which contains no actual medical data) will be the responsible persons of the Human Resources • Other institutional Medical services in case of a transfer of an official
11.	Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?	n/a
12.	General description of security measures where possible.	<ul style="list-style-type: none"> • Medical files are stored in hard copy in locked cupboards in the Medical Officer’s office. Access is limited to the Medical Officer. Staff members are able to consult their medical file in the presence of the medical officer. Medical files cannot be taken out of the medical office by staff. • The Medical Officer’s electronic files (e.g. letters, reports) are stored in the Medical Officer folder on the network drive. This folder is accessible only to the Medical Officer (and the ICT systems administrators who have administrator access rights to all folders on the network drive) • Audit trails are in place in the in-house database (Fibus) where sick leaves are recorded. IT administrators responsible for the ‘staff info’ database have access to the staff data but are subject to confidentiality requirements like all other staff. • Invoices related to medical examinations are processed through mail registration and stored in the Electronic Document Management System Livelink (collaborative platform) for the purposes of processing through the financial circuit. HR is also involved in the payment process as verifier. • Confidentiality declarations for staff and contractual confidentiality clauses

		<p>(for the medical officer who is an external contractor) are in place.</p> <ul style="list-style-type: none">• The personal files are handled by HR staff members who are subject to confidentiality requirements (as are all staff). No medical data as such are filed in personal files.
13.	For more information, including how to exercise your rights to access, rectification, object and data portability (where applicable), see the privacy statement:	<i>Privacy Statement available on intranet</i>