

CSAIO5

Data Protection Guidelines and Privacy Protection at CERN

CERN - European Organization for Nuclear Research
Presented by Gertjan Bossen, Vice President of the
CERN Staff Association

Legal Framework (1)

Staff Rules

codify legal relationship between the Organization & Members of Personnel (MoP), adopted by Council

Staff Regulations

determine the application of the Rules, adopted by FC

Administrative Circulars

specify application of Regulations, adopted by DG

only constraint to Rules: Convention, Host State agreements (with CH and FR), ILOAT jurisprudence

Legal Framework (2)

Rules II 1.06

Protection of personal data and personal administrative file:
'personal data and PAF shall be confidential'

Regulations R II 1.14

Access to PAF: MoP, otherwise only for official purposes

Administrative Circular 10 (Rev2) December 1996

The PAF and other personal data records

PROTECTION ASSURED AT THE HIGHEST LEVEL (RULES) BUT

- no prescriptions on conservation after departure from CERN
- out-of-date prescriptions on electronic handling

AC10 - Generalities

Personal data are confidential

- access only by authorized persons bound by professional secrecy
- exception: items of ordinary professional nature (name, first names,...)

Personal data are kept in records

- personal administrative file (PAF) everything related to application of SR&R
- working files

Records are on paper

but may in addition also be kept as computerized data files

AC10 - PAF

Confidential except Host State obligations of the Organization

Exhaustive list of services maintaining PAF

Exhaustive list of persons authorized to consult PAF

Access to PAF by MoP guaranteed
(alone, accompanied or by someone in his place)
to both paper and electronic files

MoP may request addition/correction

AC10 - Working files

Scope:
application of SRR and implementation of statutory procedures may make it necessary to keep personal data in the form of working files

Examples:
FI/HR Departments
installation and removal, financial advances,
leave and travelling expenses, social affairs
Joint Advisory Boards
Department to which MoP is assigned

Access by MoP:
full for FI/HR, partly for JAB, none for Department

Known Problems - Paper Files

PAF:
pages not numbered,
tendency to keep (for ease of administration) papers
in PAF which should not be kept there,
problem of access by employees of outside firms
(outsourcing of administrative activities) being solved
by in-sourcing as Local Staff

Working Files:
difficulty to assess non-existence of illegal copies
(e.g. supervisor's drawer),
inappropriate information in Department working files
(no access by MoP)

Known Problems - Electronic Files

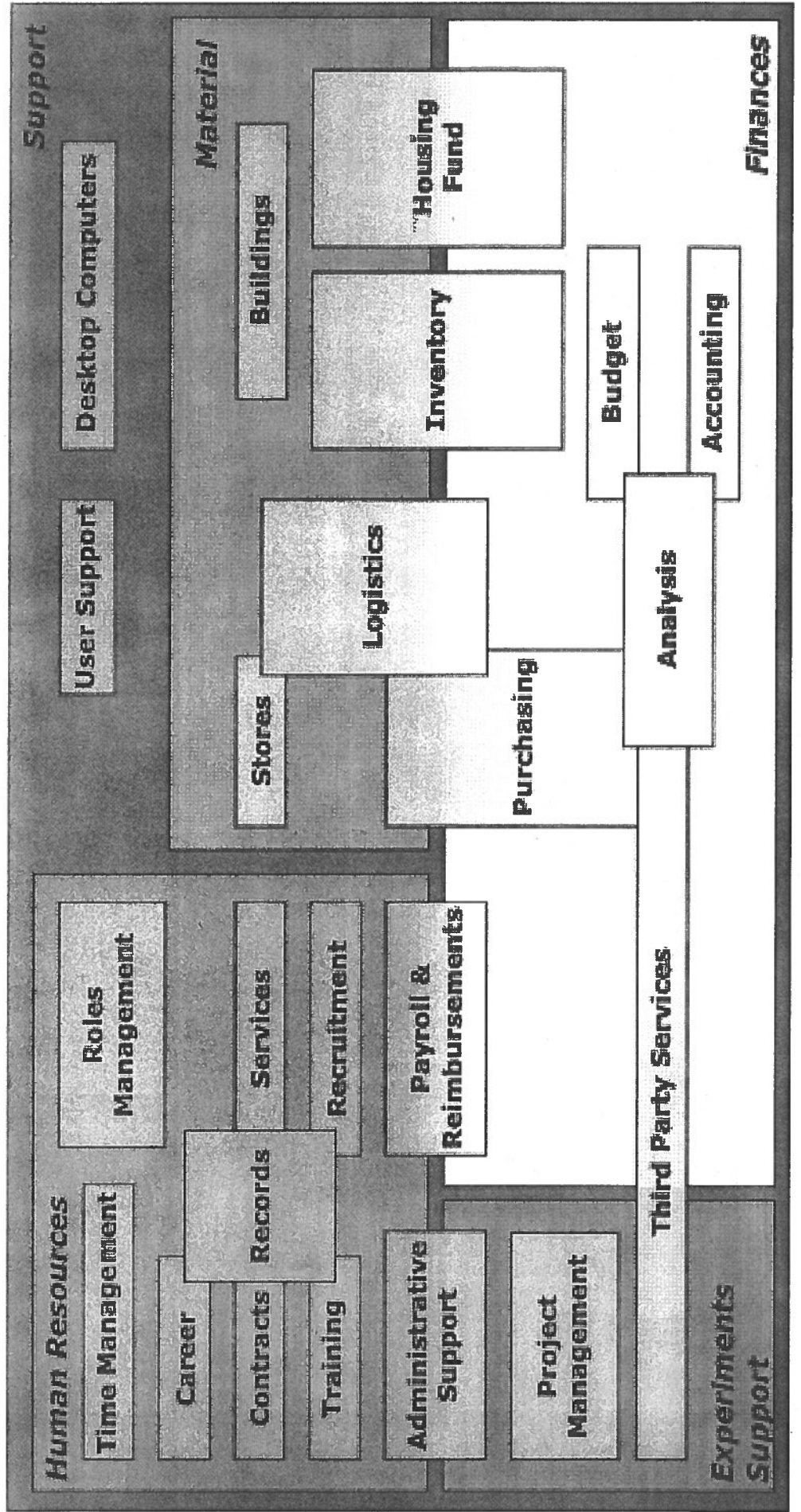
Embedded in AIS (Administrative Information Services)

'The main objective is to provide CERN with a set of integrated and reliable corporate Information Systems.'

Complicated access grids to the various interlinked data bases plus additional complexity due to decentralized administration

Check on data correctness by MoP difficult/impossible

AIS Business Map



AIS - Human Resources Toolkit

Data Groups

Public

All non-sensitive data such as CERN telephone number, office, attachment to organic unit at CERN etc.

Contract

Contract related data (excluding career), status, start and end date etc.

Career

Career data, Path, Band, Position

PPA

Costing data, attachment to PPA unit, recharging cost center etc.

Leave

Absence and Overtime data.

Private

Private personnel data such as private address and telephone.

AIS - Human Resources Toolkit

Access Grid

✓ = Access granted ☑ = Access granted with certain restrictions

Code	Description	Public	Contract	Career	PPA	Leave	Private
AAS	Administrative Assistant	ü	ü	ü	ü	ü	
DGA	Advisor to Director General	ü	ü	ü	ü	ü	
GUARD	CERN Guard Service	ü	Z	ü			
DDL	Deputy Division Leader	ü	ü	ü	ü	ü	
DGL	Deputy Group Leader	ü	ü	ü	ü	ü	
DPL	Deputy Project Leader	ü	ü	ü	ü	ü	
DG	Director General	ü	ü	ü	ü	ü	
DM	Directorate Member	ü	ü	ü	ü	ü	
DL	Division Leader	ü	ü	ü	ü	ü	
DAO	Divisional Administrative Officer	ü	ü	ü	ü	ü	ü
DPC	Divisional Personnel Coordinator	ü	ü	ü	ü	ü	
DPO	Divisional Planning Officer	ü	ü	ü	ü	ü	
DSO	Divisional Safety Officer	ü	ü	ü	ü	ü	
DSC	Divisional Secretary	ü	ü	ü	ü	ü	
DTO	Divisional Training Officer	ü	ü	ü	ü	ü	
DPA	DPO Assistant	ü	ü	ü	ü	ü	
EXP	Experiment Coordinator	ü	ü	ü	ü	ü	
GAO	Group Administrative Officer	ü	ü	ü	ü	ü	
GL	Group Leader	ü	ü	ü	ü	ü	
ISC	Industrial Support Coordinator	ü	ü	ü	ü	ü	
MEDOFF	Medical Service Officer	ü	ü	ü	ü	ü	ü
NMS	Non Member State Coordinator	ü	ü	ü	ü	ü	
PE	Personnel Division Global Access	ü	ü	ü	ü	ü	ü
RESTR	Restricted Access	ü					
SL	Section Leader	ü	ü	ü	ü	ü	
SSL	Sub-Section Leader	ü	ü	ü	ü	ü	
TL	Team Leader	ü	ü	ü	ü	ü	
TSC	Technical Student Coordinator	ü					
UNIQA	Uniqua Service CERN	ü					ü

Control & Sanctions

No evidence for significant abuse

In case of abuse disciplinary action
to be taken (one known case)

Conclusion

Basis (Rules, Regulations, Administrative Circular): OK

Need to adapt to increased use of electronic storage of data

Main worries connected with maintenance of access authorizations for computerized files (change of functions, change of contract)

Absence of prescriptions on data conservation after departure from Organization

