

Community statistics on public health and health and safety at work

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OPINION OF THE EUROPEAN DATA PROTECTION SUPERVISOR on the proposal for a Regulation of the European Parliament and of the Council on Community statistics on public health and health and safety at work.

The aforementioned proposal was sent by the Commission to the EDPS for consultation, in accordance with Article 28(2) of Regulation (EC) No 45/2001. It is the first time that the EDPS has been directly consulted on a proposal for a Regulation in the field of Community statistics.

The proposal's goal is to give a consolidated and firm basis for collections already implemented or for which methodology is currently being developed or implementation prepared, through providing a basic legal act in the areas of public health and health and safety at work statistics. It aims at establishing the framework for all current and foreseeable activities in the field of Public health and Health and Safety at Work statistics carried out by the European Statistical System (i.e. Eurostat), the national statistical institutes and all other national authorities responsible for the provision of official statistics in these areas. The need for a legal basis has emerged because, until now, statistical data collections were carried out on the basis of 'gentlemen's agreements' with the Member States in the framework of the five years Community Statistical Programmes (2003-2007) and its annual components.

The EDPS is also aware that a proposal of the European Parliament and of the Council on European statistics will be presented by the Commission in autumn 2007. This Regulation will have an impact on the protection of individual's rights and freedoms with regard to the processing of personal data in the field of statistics. The EDPS will follow the developments regarding this text and issue a reaction, in the light of his consultative role, based on his inventory.

The EDPS welcomes the proposal for a Regulation on Community statistics on public health and health and safety at work as it would give a firm basis to the existing practices of gathering and evaluating Community statistical data. Ultimately, it would lead to the production of meaningful statistics in the field. However, the EDPS would like to stress the following points:

- the guidelines and methodology which are developed on the basis of the Regulation should take into account and where necessary specifically address the differences between Data Protection and Statistical Confidentiality as well as the notions which are specific to each area;
- if transfers of personal data to third countries are foreseen, they should comply with Article 9 of Regulation (EC) No 45/2001;
- the conservation periods of statistical data are based on well developed standards of confidentiality. These standards are without prejudice of analysis which should be conducted on a case by case basis;
- a common review of the processes put in place in Eurostat when dealing with individual records for statistical purposes should be conducted and may lead to the need for prior checking. This common review should consist of the analysis of the minimum data set required for each processing operations and an analysis of the processing operations implemented in Eurostat.