

Protection of personal data

Confidentiality in the 2001 Census of Population and Housing of Albania

April 2001

Legal and practical issues

Legal issues

Confidentiality is governed by Article 9 of the Law No. 8669 ON THE GENERAL CENSUS OF POPULATION AND DWELLINGS, dated 26.10.2000.

Article 9 of this Law reads as follows:

Article 9

Data protection and professional secrecy

The data collected by the census are protected in conformity with legislation in force. In particular, INSTAT and the Ministry of Local Government shall take the following steps:

- a. The staff who, through involvement in census operations, processing of electoral lists as well as updating of civil registers, and have knowledge of personal data, are subject to a duty of professional secrecy as provided by the Law No. 7687 dated 16.03.1993 "on Statistics" and the Law No. 8517 dated 22.07.1999 "On the protection of personal data". A public authority shall not derogate from this duty, under any circumstance. Violation of this

duty remains punishable even after the termination of the employment relationship with census.

- b. INSTAT and the Ministry of Local Government shall take all the appropriate technical, organisational and security measures to prevent unauthorised access to installations where the above mentioned data are conserved, as well as to prevent unauthorised processing of these data.
- c. The data collected for statistical purposes, after technical controls regarding their accuracy and consistency carried out by the census staff, are made anonymous by deleting the external identifiers from the electronic files.
- d. The anonymous individual data can be communicated to an authorised third party only for activities that are in conformity with the statistical aim of the census. The recipient of the data is subject to the duty of professional secrecy; it takes the appropriate security measures and ensures that any publication of statistical results will conform to the provisions of this law.

In practical terms this is worked out in the Enumerator Handbook as follows:

The main tasks of Enumerators in the General Census of Population and Housing
The main task of the Enumerator in the General Census of Population and Housing is to conduct the work in such a manner that the census within his enumeration area (EA) is carried out in quality and within the established timeframe.

The successful implementation of this task requires that:

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On basis of the map (or list) of the area he covers, the Enumerator goes to each dwelling and household to conduct the interview. He should be polite and communicative with the persons he interviews. He should not divulge to outsiders any of the information gathered.

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It should be noted that the Enumerator Guide is not intended to just instruct the Enumerators, but that it constitutes the principal set of guidelines for all Census workers.

The issue of confidentiality and professional secrecy has been stressed during the training courses of the census staff.

In addition, the contractual agreement that all temporary census workers sign before they set to work, explicitly binds them to secrecy about the information collected in the course of their activities. Article 7 of the said contract reads as follows:

Professional secrecy and personal data protection

The contracted person is under the legal obligation for data protection as provided by the Law on Statistics, the Law on Protection of Personal Data as well as the Law on the General Population and Housing Census. The information on personal data obtained during the performance as census staff, shall not in any circumstance be transferred or made known to any third party. This obligation remains punishable even after the end of the contractual relation of the person with INSTAT and with the census program. The regular INSTAT staff, of course, is subject to the relevant clauses in the Law on Statistics, the Law on the General Census of Population and Housing, and their professional ethics.

Practical issues

Once the questionnaires are completed, the Enumerators will place them in folders that prevent documents from getting lost or coming into full view. Once the Enumeration Area (EA) is completed, the folders are handed over to the Controller in a proper procedure, whereby a transfer form is completed, and both parties sign.

The Controllers pack the folders and other documentation in carton boxes, which are transported to the Census District Office. The Controller supervises the transport. No other goods are to be transported at the same time. Upon arrival at the Census District

Headquarters, another documented transfer takes place between the Controller and his Supervisor. This process is repeated until all questionnaires arrive at the Tirana Census Processing Centre in the International Exhibitions Centre ("the Pyramid").

All temporary workers at the Census Processing Centre have signed the standard clause that binds them to secrecy about the information collected in the course of their work. The questionnaires are stored on shelves in an area in the Processing Centre that is only accessible to authorised workers. These are a few specialised staff charged with issuing and receiving EA folders. A computer register is kept, which at any time can inform about which person has custody of a particular EA.

Folders can be issued only for:

- Manual check of the EA data quality by the Manual Checking Group;
- Computer data-entry work;
- Computer data-verification work;
- And for other reasons upon approval by senior Census management..

Data processing will take place on a private local area network not connected to the Internet or any other computer installation. There will be no on-line connection with the INSTAT central-computing facilities.

The diskette stations on the computer systems used by data-entry operators will be disabled for the duration of the operation.

All census workers are required to carry identification badges. Just as INSTAT, the Census Processing Center will have a 24-hour door guard.

Individual data will not be disseminated, except for the purpose of modernising and computerising the civil registers, as authorised by the Census Law.

Upon completion of tables for publication, they will be inspected for cell values small enough to introduce a risk of identification of individuals or households. If such cases are encountered, cells will be collapsed or any other necessary measures taken, to fully protect individual's privacy.