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ASSISTANT SUPERVISOR

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GB/RZ/sn/D(2015)0400 C 2014-1011
Please use edps@edps.europa.eu
for all correspondence

Subject: Prior checking notification concerning appraisal of the Director and Deputy Director

Dear Mr [...],

We refer to the notification for prior checking concerning appraisal procedures for the Director and Deputy Director submitted by the Data Protection Officer of the European Foundation for the Improvement of Living and Working Conditions (Eurofound) to the European Data Protection Supervisor (EDPS) on 31 October 2014.

We also take a note of the additional information and updated set of documents provided on 4 December 2014 upon request of 27 November 2014.

As these procedures are in most aspects in compliance with the Regulation (EC) No 45/2001¹ (Regulation) as outlined in the EDPS Staff Evaluation Guidelines², we will only address the existing information to data subject policy that does not seem to be fully compliant in this respect.

According to the information provided in the notification, staff members and other stakeholders may be consulted in the context of the appraisal procedure for the Deputy Director. However, they are not mentioned in the related privacy statement. Therefore, the EDPS recommends that they are added to the list of recipients already provided therein.

¹ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

² EDPS Guidelines on the processing of personal data in the area of staff evaluation of 15 July 2011 (EDPS 2011-042).

In conclusion, the EDPS considers that there is no reason to believe that there is a breach of the Regulation provided that the consideration contained in this Opinion is taken into account. In particular, the Eurofound should revise the existing privacy statement in a way outlined above.

The EDPS expects that the Eurofound implements the recommendation accordingly and will close case 2014-1011.

Yours sincerely,

Wojciech Wiewiórowski

(signed)

Cc: Data Protection Officer, Eurofound
Project Officer Data Protection & Int. Control, Eurofound

