

Speed training on staff appraisal



**DPO-EDPS meeting
28/04/16**

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Why staff appraisal?

“Classic” forms of staff appraisal

- End of probationary period, annual appraisal
- Assess performance and abilities of staff
- Purpose: positive or negative career development
- Legal obligation – Staff Regulations and Conditions of Employment of Other Servants

More recent forms of appraisal

- **Peer evaluation**
 - Multi-source assessment, usually of managers
 - Feedback from the immediate work environment
 - Purpose: Self-perception assessment, improve efficiency and teamwork
- **180°/360° feedback programmes**
 - Self-development tool for managers
 - Feedback from peers, managers and staff
 - Purpose: Enhance leadership competencies, develop an effective management culture, professional development
- **Main difference =** Voluntary participation, no legal obligation



What to keep in mind

- **Prior checkable under Article 27.2(b)**
- **Purpose**
 - Data collected should not be used in any other form of assessment
- **Lawfulness**
 - Article 5(a) does not apply, not “necessary” for the performance of a task
 - Article 5(d) Consent
- **Data quality**
 - Processed fairly and lawfully
 - For specific purposes only
 - Adequate, relevant and not excessive
 - Accurate (only applies to factual data)
 - Not kept for longer than necessary



What to keep in mind

- **Special categories of data?**
 - Only if explicit consent (Article 10,2(a)), otherwise delete
- **Consent**
 - Freely given, specific and informed
 - Consent in the working environment – should be applied with caution!
 - Possibility to withdraw consent at any time
- **Processor/sub-processor**
 - Verify if any sub-contracting is foreseen
 - Data protection clause in the contract
 - Avoid transfers to third countries

What to keep in mind

- **Recipients/transfers?**

- Clearly specify who the recipients are and what data they will receive
- Inform persons concerned accordingly
- Only transfer data if necessary for the legitimate performance of a task covered by the competence of the recipient (Article 7)

- **Right of access/rectification**

- Rectification of factual data possible upon request
- Not possible to rectify subjective evaluation data
- Provide for a possibility to provide comments? (c.f. appeals procedure)

- **Information to evaluated persons and assessors**

- Should be given before the programme is launched
- In particular as regards consent: absence of negative consequences in case of opt-out, possibility to revoke at any time
- Inform of all purposes (e.g. generate aggregated team reports)

More information:

- **EDPS Reference Library**
- **EDPS Guidelines on Staff evaluation**
- **Prior Check opinions**
- **Consultations**
- **DPO Corner**



Thank you for your attention!

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