

NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 20 APRIL 2005

CASE NUMBER: 2004-280

NOTIFICATION OF: OHIM

LEGAL BASIS: ARTICLE 27-5 OF THE REGULATION CE N° 45/2001⁽¹⁾

INFORMATION TO BE GIVEN²

1/ NAME AND ADDRESS OF THE CONTROLLER

Identity of the Controller (service/department) :

Human Resources Department – Career and Development Sector

Identity of the Controller (Person) : François Femia, Head of Career and Development Sector

2/ ORGANISATIONAL PARTS OF THE INSTITUTION OR BODY ENTRUSTED WITH THE PROCESSING OF PERSONAL DATA

The members of staff in Career and Development Sector dealing with appraisals.

3/ NAME OF THE PROCESSING

Staff appraisal

¹ OJ L 8, 12.01.2001.

² **Please attach all necessary backup documents**

4/ PURPOSE OR PURPOSES OF THE PROCESSING

Drafting appraisal reports for members of staff in compliance with art. 43 of the Staff Regulations.

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

The officials and temporary agents of the Office *except* grades A*16 and A*15 and chairpersons and members of the Boards of Appeal.

6/ DESCRIPTION OF THE DATA OR CATEGORIES OF DATA (*including, if applicable, special categories of data (Article 10) and/or origin of data*).

Full name, grade, administrative address, staff number, status, seniority in grade, starting date in job, department and budgetary post number, job title and overall purpose, data of previous job assignments (department, service, sector, period concerned) and the names and job titles of the current and the past reporting officer, if any.

The reporting officer introduces an overall assessment comment dealing with appraisal of: efficiency, ability and conduct in the service.

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

1st October 2004 at the launching of the appraisal exercise.

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

9/ AUTOMATED / MANUAL PROCESSING OPERATION

10/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

LEGAL BASIS: Art. 43 of the Staff Regulations.

11/ THE RECIPIENTS OR CATEGORIES OF RECIPIENT TO WHOM THE DATA MIGHT BE DISCLOSED

Data will only be disclosed to:

- the member of staff appraised
- the reporting officer who is in charge of drafting the appraisal report
- future line managers of the staff appraised
- the countersigning officer who is in charge of validating the report
- the members of Human Resources Department in charge of the appraisal system
- the members of the Management Committee for harmonisation purposes
- the members of the Joint Evaluation and Promotion Committee, only in case of an appeal on the appraisal report.
- the case arising, internal selection committees (if announced in the selection notice)

12/ GENERAL INDICATION OF THE TIME LIMITS

FOR BLOCKING: -----

AND/OR

FOR ERASING: -----

OF THE DIFFERENT CATEGORIES OF DATA (*Please, specify the time limits for every category, if applicable*)

Data are used during the appraisal exercise. Some data will be retrieved and stored on the SAP system. The final physical paper reports will be filed temporarily, until the end of the appraisal exercise, in the HRD-Career and Development cupboard, at which moment they will be filed definitively in the personal files of the jobholders. No time limits are considered for these documents as they are a part of the personal file existing in the Office until transfer to another institution, permanent leave or retirement.

13/ HISTORICAL, STATISTICAL OR SCIENTIFIC PURPOSES

If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification.

14/ PROPOSED TRANSFERS OF DATA TO THIRD COUNTRIES OR INTERNATIONAL ORGANISATIONS

15/ THE PROCESSING OPERATION PRESENTS SPECIFIC RISK WHICH JUSTIFIES PRIOR CHECKING (*Please describe*):

- Production of blank appraisal reports in word format with insertion of administrative data of the members of staff, to be sent by e-mail to each reporting officer.
- List of training sessions undergone by of members of staff addressed to reporting officers (by e-mail)
- Integration of data obtained in the SAP system.
- Reports are filled in, completed and signed in paper format.

The reporting officer introduces his/her comments on the report in electronic format, prints the report out and circulates it through the workflow described in Decision ADM-04-18. Once the report is final, data from it are collected and introduced on the SAP system: reference period of the report, general assessment comment and a scanned copy of the report.

Frequency of the up-date:
On a yearly basis, in October.

AS FORESEEN IN:

↑ Article 27.2.(a)

Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

X Article 27.2.(b)

Processing operations intended to evaluate personal aspects relating to the data subject,

↑ Article 27.2.(c)

Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,

↑ Article 27.2.(d)

Processing operations for the purpose of excluding individuals from a right, benefit or contract,

↑ Other (general concept in Article 27.1)

16/ COMMENTS

PLACE AND DATE: ALICANTE, 20 APRIL 2005

DATA PROTECTION OFFICER: JOEL BASTIE

INSTITUTION OR BODY: OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET (OHIM)