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| <i>To be filled out in the EDPS' office</i> |
| REGISTER NUMBER: 343 |
| NOTIFICATION FOR PRIOR CHECKING |
| <p>Date of submission: 11/03/2008</p> <p>Case number: 2008-159</p> <p>Institution: EMCDDA</p> <p>Legal basis: article 27-5 of the regulation CE 45/2001⁽¹⁾</p> <p style="text-align: right;"><i>(1) OJ L 8, 12.01.2001</i></p> |
| INFORMATION TO BE GIVEN⁽²⁾ |
| <i>(2) Please attach all necessary backup documents</i> |
| <p>1/ Name and adress of the controller</p> <p>Mr. Dante Storti, Head of Unit - Administration (EMCDDA. Rua da Cruz de Santa Apolonia 23-25. 1149-045. Lisboa)</p> |
| <p>2/ Organisational parts of the institution or body entrusted with the processing of personal data</p> <p>Human Resource Management Sector (HRMS) - a Sector within the Administration Unit</p> |
| <p>3/ Name of the processing</p> <p>Assessment of third language before first promotion after recruitment</p> |
| <p>4/ Purpose or purposes of the processing</p> <p>The <u>purpose of the processing</u> is to comply with the condition required by article 45.2 of Staff Regulation for staff's promotion purpose, making sure that the concerned staff is able to work in a third language. <u>Description of the processing</u>: HRMS sends a message to the concerned officials informing them about what have been considered their first and second language. The officials can contest the information, by sending an e-mail and providing HRMS documentary evidence for any change. The concerned officials will be invited to choose a third language and to communicate their choice to HRMS by filling a form.</p> <p>The concerned officials can demonstrate their ability to work in a third language as follows: - officials who have reached level 4 or higher through an inter institutional language course should contact the HRMS and provide the necessary supporting documents, - officials who have an equivalent diploma figuring on the EPSO published indicative list should send a scanned copy to the HRMS, - officials whom diploma is not on this list and want it to be checked should complete and returned to HRMS a form with a scanned copy of the diploma, - officials who wish to take a level 4 test should complete a specific form and send an e-mail to the HRMS indicating the language to be tested. For 2008, EMCDDA will ask one of its contracted external language school to organise the necessary tests. Officials can also choose a language school, have the school approved by the EMCDDA and undertake the language test at that school.</p> <p>Officials who have been recruited through a competition for linguists comprising test in three languages should send a message to the HRMS indicating the competition references. Once the necessary demonstration has been made through any of the referred means, the administration will encode the relevant information. the official will be duly informed and the documents will be kept in the personal file.</p> |
| <p>5/ Description of the category or categories of data subjects</p> <p>Officials in service at the EMCDDA who have not had a first promotion after recruitment.</p> |
| <p>6/ Description of the data or categories of data (<i>including, if applicable, special categories of data (article 10) and/or origin of data</i>)</p> <p>Data fields are those mentionned in the forms of the Annex I and II: Family name, first name, personnel number, Institution of origin, first and second languages chosen for the competition or selection procedure leading to recruitment, third language chosen under Article 45 (2), title of diploma or certificate to be examined by the HRMS or the appropriate assessment committee.</p> |
| <p>7/ Information to be given to data subjects</p> <p>Full process is posted in the EMCDDA Intranet for general information. The staff members are requested to check if the message send by the HRMS person mentioning their first and second language is correct. Then they have to choose a third language filling in a specific form (See attachment).</p> |

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| 8/ Procedures to grant rights of data subjects (<i>rights of access, to rectify, to block, to erase, to object</i>) |
| During the whole process concerned staff members have full access to their data and can request access at any time without any special formality |
| 9/ Automated / Manual processing operation n.a |
| 10/ Storage media of data Paper |
| 11/ Legal basis and lawfulness of the processing operation The legal basis for this processing is: Article 45(2) and Article 7(2) point d) of Annex III of the Staff Regulations of officials, and Common regulations establishing the implementation of Article 45(2) of the Staff Regulations. The processing is lawful and necessary under Article 5.(a) of Regulation (EC) 45/2001. The present notification is subject to prior-checking by the European Data protection Supervisor under Article 27,2,b of Regulation (EC) 45/2001, |
| 12/ The recipients or categories of recipient to whom the data might be disclosed Staff member concerned and HR officer in charge. If need by the members of an assessment committee. External companies carrying out the tests or EPSO in case they are used for the tests. |
| 13/ retention policy of (categories of) personal data Two years for officials whose assessment on the basis of qualifications or tests has been positive. In the case of officials whose assessment on the basis of qualifications or tests has been negative, the data will be stored until the promotion exercise in which a positive assessment is obtained (whereupon the two-year rule above will apply). The data may also be used for statistical purposes during the first year of storage. |
| 13 a/ time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject) (Please, specify the time limits for every category, if applicable) The officials concerned may submit a substantiated request to the HRMS, to change the following elements of their personal data: name, first name, place of employment, institution of origin, e-mail. The other personal data required (first and second languages chosen for the recruitment competition selection procedure, third language chosen, copies of diplomas/certificates) may not be changed once they have been validated by the HRMS. If necessary, staff may obtain a copy of their personal data as registered with the EMCDDA by submitting a written request accompanied by a photocopy of an identity document. |
| 14/ Historical, statistical or scientific purposes <i>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,</i> The data may also be used for statistical purposes during the first year of storage. |
| 15/ Proposed transfers of data to third countries or international organisations n.a |
| 16/ The processing operation presents specific risk which justifies prior checking (<i>please describe</i>): AS FORESEEN IN: <input type="checkbox"/> Article 27.2.(a) Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures, <input checked="" type="checkbox"/> Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject, <input type="checkbox"/> Article 27.2.(c) Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes, <input type="checkbox"/> Article 27.2.(d) Processing operations for the purpose of excluding individuals from a right, benefit or contract, <input type="checkbox"/> Other (general concept in Article 27.1) |
| 17/ Comments PLACE AND DATE: Lisbon, 11.03. 2008 DATA PROTECTION OFFICER: Cécile Martel INSTITUTION OR BODY:EMCDDA |