

REGISTER NUMBER: 421

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 20/10/2008

Case number: 2008-604

Institution: European Parliament

Legal basis: article 27-5 of the regulation CE 45/2001⁽¹⁾

(1) OJ L 8, 12.01.2001

INFORMATION TO BE GIVEN⁽²⁾

(2) Please attach all necessary backup documents

1/ Name and address of the controller

Mr ALBERTO ROSSETTI - KAD 02G027 Luxembourg - Tel: 00352 4300 22032 -
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2/ Organisational parts of the institution or body entrusted with the processing of personal data

DG - PERS - STAFF MANAGEMENT AND CAREERS UNIT - - LUXEMBOURG

3/ Name of the processing

REPORT ON PROBATION PERIOD

4/ Purpose or purposes of the processing

To ensure compliance with provisions of Article 34 of Staff Regulations

5/ Description of the category or categories of data subjects

Officials and other staff (temporary and contract staff)

6/ Description of the data or categories of data (*including, if applicable, special categories of data (article 10) and/or origin of data*)

Data being used to evaluate personal aspects of data subject (ability, efficiency, reliability or conduct) including linguistic capacities and performance of duties, other categories of data in form of personal identification numbers, concerning the data subject's recruitment, absences, concerning the data subject's career.

7/ Information to be given to data subjects

Specifically for this operation, staff are informed by letter as part of the recruitment procedure of the fact that they will serve a probation period. Further information is in the Vade-Mecum for new staff (pp.5-6). The forms used for the categories of staff concerned are available on the Intranet, which means that staff can see the evaluation criteria and the possible outcomes of the procedure. The provisions of the Staff Regulations, including Article 34, are also published on the Intranet.

8/ Procedures to grant rights of data subjects(*rights of access, to rectify, to block, to erase, to object*)

In general, implementing rules relating to Regulation (EC) No 45/2001 contained in the Bureau decision of 22 June 2005 provide for the right of data subjects in Articles 8 - 13. Specifically for this operation, an important guarantee is the contradictory nature of the procedure, which ensures of itself the subject's access to information and right to comment on the report, which is equivalent to the right of rectification.

9/ Automated / Manual processing operation

Partly automated and partly manual processing of a structured set of data accessible according to given criteria

10/ Storage media of data

Report stored in paper form having been generated in STREAMLINE

11/ Legal basis and lawfulness of the processing operation

Staff Regulations, in particular Article 34, also Articles 10,11 of Annex II. CEOS, in particular Articles 14 and 84

12/ The recipients or categories of recipient to whom the data might be disclosed

Reports Committee, Human Resources units in DGs of staff affected. Decision on establishment or dismissal published in accordance with Article 25 SR.

13/ retention policy of (categories of) personal data

The report and establishment or dismissal decision is included in the personal file and so subject to the limits for that operation.

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 report and establishment or dismissal decision is included in the personal file and so subject to the limits for that operation.

14/ 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,

None

15/ Proposed transfers of data to third countries or international organisations

None

16/ The processing operation presents specific risk which justifies prior checking (*please describe*):

AS FORESEEN IN:

Article 27.2.(a)

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

Article 27.2.(b)✓

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

Yes

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)

17/ Comments

PLACE AND DATE: Luxembourg, 17 October 2008

DATA PROTECTION OFFICER: Jonathan Steele

INSTITUTION OR BODY: European Parliament