

**REGISTER NUMBER: 476**

**NOTIFICATION FOR PRIOR CHECKING**

Date of submission: 03/02/2009

Case number: 2009-092

Institution: CPVO

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

*(1) OJ L 8, 12.01.2001*

**INFORMATION TO BE GIVEN<sup>(2)</sup>**

1/ Name and address of the controller

Mr. Carlos GODINHO  
Community Plant Variety Office  
3, Boulevard Foch  
B.P. 10121, F-49101 ANGERS cedex 02

2/ Organisational parts of the institution or body entrusted with the processing of personal data

CPVO Human Resources service

3/ Name of the processing

Decision laying down the rules for implementing the **attestation procedure** (Article 10(3) of Annex XIII to the Staff Regulations)

4/ Purpose or purposes of the processing

An official in categories C or D in service before 1 May 2004 may become a member of the assistants' function group without restriction on the basis of an attestation procedure. The CPVO proposes to conduct one attestation procedure in 2010, due to the limited number of staff members concerned (3 persons).

5/ Description of the category or categories of data subjects

Officials, who were employed in categories C or D before 1 May 2004, who have been appointed to a permanent post in the CPVO in accordance with Article 1a of the Staff Regulations, and who, on 1 January 2010, were seconded in the interests of the service or who held one of the following positions referred to in Article 35 of the Staff Regulations: in active employment, on parental leave or on family leave, may apply for attestation.

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

The attestation procedure shall comprise four stages; 1. setting the number of posts in the assistants' function group which can be filled by officials attested within the meaning of Article 8 of the decision and publication of a call for application, 2. admission of applicants based on their diplomas and work experience, 3. establishment of a list of admitted applicants in order of priority, 4. attribution of posts in the assistants' function group.

Before 31 December 2009 the appointing authority shall decide on the number of posts in the assistants' function group which can be filled in the following year by officials attested within the meaning of Article 8. Following that decision a call for applications shall be published by the appointing authority. Officials referred to in Article 1 of the decision who have applied shall be admitted to the attestation procedure provided they meet both the following criteria: 1. a level of education and training equivalent to that required in Article 5(3)(a) of the Staff Regulations, 2. seniority of at least 5 years in career stream C or D. The appointing authority shall draw up and publish a list of officials who have applied for and been admitted to the attestation procedure. The appointing authority shall also draw up a list of eligible officials in order of priority based on the following criteria: level of education and training, seniority in career stream C or D, experience and merit evaluated on the basis of available career development reports. The value of the criteria and the weighting applied to them shall be decided by the appointing authority before 31 March 2010 after consulting the Joint Attestation Committee. The officials included on this last list shall be attributed a post in the assistants' function group.

7/ Information to be given to data subjects

A privacy statement with the name of the controller will be put on the intranet, with the call for applications, and the decision laying down the rules for implementing the attestation procedure will be added to the Vademecum.

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

Upon requests, data subjects have the possibility to modify their data, except merits and skills, even after the deadline for submitting applications.

9/ Automated / Manual processing operation

The procedure does not follow any automated processing operation. The call for applications is sent electronically by e-mail to the staff, and the applications can be sent by e-mail or in paper form.

10/ Storage media of data

On paper in the personal files of each staff member concerned, and in Docman (electronic storage of documents).

11/ Legal basis and lawfulness of the processing operation

Attestation procedure as provided for by the Staff Regulations (Article 10(3) of Annexe XIII).

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

All data collected (diplomas and work certificates) are kept in the personal file of the staff member concerned. The data are only disclosed to the staff member concerned, the Human Resources service, the Appointing Authority and, in case of appeal, the Joint Attestation Committee.

13/ retention policy of (categories of) personal data

Data are kept on paper in the personal files, and in Docman, during the career for the staff member and 10 years after the end of contract with the CPVO (in accordance with retention policy adopted by the CPVO).

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)*

No procedure adopted. A request to block or erase data would be dealt with on a case by case basis.

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,*

N/A

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

Data are not transferred to anyone outside the Office.

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

Diplomas and engagement contracts contain personal data. These will be evaluated in the attestation procedure. If this data would not be processed in a controlled manner and to a restricted number of persons, the integrity of individuals would be at risk.

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,**

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 : Angers le 03/02/09

DATA PROTECTION OFFICER: Véronique DOREAU

INSTITUTION OR BODY: CPVO