

REGISTER NUMBER: 477

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 03/02/2009

Case number: 2009-093

Institution: CPVO

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 adress 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 general provisions for implementing the **certification procedure** (Article 45a of the Staff Regulations)

4/ Purpose or purposes of the processing

In accordance with Article 45a of the Staff Regulations a certification procedure must be established whereby officials in grade 5 upwards of function group AST can be selected as being suitable for appointment to a job in function group AD.

5/ Description of the category or categories of data subjects

Officials of the CPVO, employed in grade 5 upwards of function group AST who have been appointed to a permanent post in the CPVO in accordance with Article 1a of the Staff Regulations and who, on the date of publication of the call for applications, are seconded in the interests of the service or whose administrative status as referred to in Article 35 of the Staff Regulations is one of the following: active employment, parental leave or family leave.

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

The certification procedure shall comprise five stages: 1. publication of a call for applications and determination of the number of officials authorised to follow the training programme; 2. establishment by the appointing authority of the list of officials authorised to take part in the training programme; 3. participation in the training programme; 4. organisation of written and oral tests and establishment by the appointing authority of the list of applicants who have passed the tests demonstrating that they have successfully completed the training programme; 5. publication by the appointing authority of the list of CPVO officials who have passed the tests.

Each year, in consultation with the joint certification committee the appointing authority shall determine the number of officials to be authorised to take part in the training programme referred to in Article 45a(1) of the Staff Regulations. Following that decision, the appointing authority shall publish a call for applications. After reception of the applications, the establishment of the list of officials selected to follow the training programme involves two stages: a pre-selection stage and a classification stage. Officials shall be pre-selected provided they meet both the following conditions: 1. two of their five most recent annual career development reports as referred to in Article 1 of the general provisions for implementing Article 43 of the Staff Regulations must state that they have the potential required to take on the functions of an administrator. The official concerned must have seniority in grade 5 or above of at least three years if he/she holds a university diploma within the meaning of Article 5(3)(b)(i) of the Staff Regulations or at least six years if he/she does not hold such a diploma. The appointing authority shall publish a draft list of officials who have been pre-selected on the basis of these two criteria. Following the pre-selection phase the appointing authority shall classify the pre-selected officials in order of priority based on the following criteria: 1. professional experience and level of professional training; 2. overall assessment marks in their most recent annual career development reports. After this, the appointing authority shall draw up a draft list of the officials authorised to take part in the training programme. The officials then take part in the training, organised by the European Administrative School. Officials who have followed the training will participate in a written and oral test. The appointing authority shall publish the list of officials who have passed the written and oral tests in question. Officials included in this list may apply for vacant posts in function group AD corresponding to their grade in accordance with the conditions laid down in Article 29(a)(ii) and (b) of the Staff Regulations.

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 general provisions for implementing the certification 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 application 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 document storage).

11/ Legal basis and lawfulness of the processing operation
Certification procedure as provided for by the Staff Regulations (Article 45a).

12/ The recipients or categories of recipient to whom the data might be disclosed
The data are only disclosed to the staff member concerned, the Human resources service, the appointing authority and, in case of appeal, the Joint Certification 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, engagement contracts and career development reports contain personal data. These will be evaluated in the certification 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 03/02/2009

DATA PROTECTION OFFICER: Véronique DOREAU

INSTITUTION OR BODY: CPVO