

REGISTER NUMBER: 545

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 29/10/2009

Case number: 2009-718

Institution: EIB

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

European Investment Bank, 100 bd Konrad Adenauer, L - 2950 Luxembourg

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

HR People and Organisation Division staff for the EIB Group

3/ Name of the processing

E-probation for the management of probationary periods

4/ Purpose or purposes of the processing

At the beginning of the probationary period, a probation document is created for each individual and the reporting officer (i.e. the direct manager) sets out the evaluation criteria (objectives and responsibilities) upon which the staff member will be evaluated at the end of the probationary period. The documents will be created and managed online by the reporting officer via the Bank's existing "e-performance" software (ref. Notification for prior checking "eperformance")

5/ Description of the category or categories of data subjects

New recruits are subject to a probationary period, as stipulated in their letter of appointment, and staff starting a new job in a higher staff category, as stipulated in their letter of promotion.

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

Individual online Probation Documents, with the following sections: objectives, responsibilities, mid probation review by manager*, mid probation review commented by employee*, overall summary by reporting officer, overall summary by final reviewing officer (normally the Director General), decision by the Bank (by the Director of HR), employee final comment. *Only probations of 4 months or more will have a mid probation

7/ Information to be given to data subjects

"Rules and Procedures governing probationary periods" to be annexed to the Staff Rules (pending approval by the Management Committee). Instructions (being drafted) will be available on Intranet, both as a Guide to Staff, and a Guide to Reporting Officers, explaining how to complete the online documentation.

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

Staff on probation will have ongoing view access to their Probation Document. If applicable (see section 6 above), once the reporting officer has completed the mid review, staff may express their comments in the mid probation employee box. All staff on probation may express their comments, if they wish, after the overall comments by the reporting officer and the reviewing officer and before the DHR takes the decision relating to the confirmation, extension or non-confirmation of the probationary period.

9/ Automated / Manual processing operation

All Probation Documents will be managed online and may be printed if necessary. Staff will be informed by automatic email when their probationary period has been successfully concluded. Where the probationary period is extended, or is not successfully concluded, staff will be informed in writing, according to the Rules and Procedures governing Probationary Periods (cf. paragraph 10).

Working lists will be provided by HR/People and Organisation Division staff to the directorate coordinations to allow them to keep track of the status of probation documents for their staff, providing them with the name, start and end dates of the probation period, due dates for reports, and decisions.

10/ Storage media of data

Probation Documents are stored online under the heading e-performance in the Peoplesoft database. Letters regarding the extension or non confirmation of the probationary period are filed in the staff member's individual personal file.

11/ Legal basis and lawfulness of the processing operation

The Rules and Procedures governing Probationary Periods form an annex to the Staff rules. Once the Management Committee approves the Rules and Procedures, a note to staff will be issued bringing the text to their attention.

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

Online access to the staff member on probation and his/her hierarchy, the President of the EIB Group, HR staff (list of HR staff who require access, authorised by the HR Director). The data may also be disclosed if required to HR staff for analytical reasons, to the EIB Legal Services if called upon to defend the EIB Group, and to HR correspondents in the directorates (according to a list proposed by the directorates and authorised by the Director of HR).

Apart from access to the staff member concerned and his/her hierarchy, access to the data is limited to the President and his secretary, to Directors General and their secretaries if authorised by the Director General, to HR correspondents within the directorates, and a list of authorised HR staff.

13/ retention policy of (categories of) personal data

HR staff (according to the list indicated in section 12 above) will have access to all Probation Documents for all staff throughout their careers. Where probationary periods are unsuccessful and contracts are terminated, the probation document will be deleted from the database. Staff will continue to have access to their Probation Document throughout their career via Peoplesoft, e-performance. Their current hierarchy will have access to the Probation Document in line with retention rules for Performance Documents (cf. Notification for Prior checking on "eperformance"): current reporting officers have access to the Performance Document for the current year and the past three years. Where the Probation Document falls outside of this period, the reporting officer will no longer have access.

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)

After decision by HR regarding the confirmation, extension, or non-confirmation of the probationary period, the Probation Document is automatically locked.

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,

Not applicable

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

Not applicable

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

AS FORESEEN IN:

Article 27.2.(b)

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

Article 27.2.(d)

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

17/ Comments

PLACE AND DATE: Luxembourg, 29 October 2009

DATA PROTECTION OFFICER: Jean-Philippe Minnaert

INSTITUTION OR BODY: European Investment Bank