

<b>REGISTER NUMBER: 554</b>
<b>NOTIFICATION FOR PRIOR CHECKING</b>
<p>Date of submission: 15/12/2009</p> <p>Case number: 2009-838</p> <p>Institution: EMCDDA</p> <p>Legal basis: article 27-5 of the regulation CE 45/2001(1)</p> <p style="text-align: right;">(1) OJ L 8, 12.01.2001</p>

<b>INFORMATION TO BE GIVEN(2)</b>
<i>(2) Please attach all necessary backup documents</i>
<p>1/ Name and adress of the controller Mr. Dante Storti, Head of Unit Administration (EMCDDA. Cais do Sodre. 1249-289. Lisbon, Portugal)</p>
<p>2/ Organisational parts of the institution or body entrusted with the processing of personal data Human Ressource Service (a Sector within the Unit Administration)</p>
<p>3/ Name of the processing Appraisal of EMCDDA's staff</p>
<p>4/ Purpose or purposes of the processing Periodical evaluation/appraisal of the staff member's performance, competencies/abilities and conduct in the service. Collection, management and assessment of data concerning the staff member's performance, competencies/abilities and conduct in the service. The processing falls within the scope of the referred Article 27. For more details please refer to the Decision provided as separate attachment</p>
<p>5/ Description of the category or categories of data subjects All EMCDDA's officials as defined in Article 1 of the Staff Regulations (other than those occupying positions of Director or equivalent); temporary staff as defined in Article 2 of the CEOS; contract agents as defined in Article 1 of the CEOS.</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>) Staff's family name, name, personnel number, seniority, grade, function group and outcomes of previous appraisal exercises</p>
<p>7/ Information to be given to data subjects Data Subjects have full access to the concerned Decision of the EMCDDA's Management Board which is posted in the EMCDDA's Intranet. Furthermore, their attention is drawn to the relevant privacy statement (see attachment provided separately).</p>
<p>8/ Procedures to grant rights of data subjects(<i>rights of access, to rectify, to block, to erase, to object</i>) Data Subjects are informed of their rights and have always the possibility to access , verify or correct their personal data in accordance with the relevant privacy statement (see attachment provided separately).</p>
<p>9/ Automated / Manual processing operation n.a</p>

10/ Storage media of data

Electronic-based storage system. Staff appraisal reports will be stored in a separate folder corresponding to each unit, within the Human Resources drive (only HR staff have access to this drive). Each file will be password protected. Each Head of Unit will have permission to access the folders of their own unit only. The Director will have access to all units' folders. A paper copy of the report will be stored in the personnel file of the staff member in a sealed envelope. Personnel files are stored in locked cupboards within the Human Resources Management Sector.

11/ Legal basis and lawfulness of the processing operation

Decision of the EMCDDA's Management Board on the performance appraisal of staff, to address the general provisions for implementing Article 43 of the Staff Regulations and Articles 15 and 87 of the Conditions of Employment of Other Servants (see attachment provided separately). The processing is lawful and necessary pursuant to Article 43 of the Staff regulations and Articles 15 and 87 of the Conditions of Employment of Other Servants. The present notification is subject to prior-checking by the European Data protection Supervisor under Article 27 of Regulation (EC) 45/2001.

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

Concerned staff members, reporting officers, HR officer in charge. Where applicable appeal assessor, members of the Joint Instance and the Director in his capacity of appointing /contracting authority. Other EU institutions in the case of transfer of officials.

13/ retention policy of (categories of) personal data

Data will be kept for ten years as of termination of employment or as of the last pension payment.

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)*

Three calendar months from the moment of the reception of the justified legitimate request from the data subject.

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,*

After the retention period indicated at point 22.a) above, only anonymous data will be kept to provide global statistics on the concerned appraisal exercise

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

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,

X 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,

☐ Other (general concept in Article 27.1)

17/ Comments

PLACE AND DATE: Lisbon, 14,12,2009

DATA PROTECTION OFFICER: Cecile MARTEL

INSTITUTION OR BODY:EMCDDA