

REGISTER NUMBER: 555

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 15/12/2009

Case number: 2009-839

Institution: EMCDDA

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. Dante Storti, Head of Unit Administration (EMCDDA. Cais do Sodre. 1249-289. Lisbon, Portugal)

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

Human Ressource Service (a Sector within the Unit Administration)

3/ Name of the processing

Promotion of officials and reclassification of temporary agents of the EMCDDA

4/ Purpose or purposes of the processing

Promotion of officials and reclassification of temporary staff. Collection management and assessment of data on the comparative merits of the officials/temporary agents eligible for promotion/reclassification based in particular on the result of their appraisal, the level of their responsibilities and the use of languages in the performance of their duties. This with the view to the appointment/assignment to the first step of the next higher grade in the function group to which an official or temporary agent belongs. The processing falls within the scope of Article 27 of the Regulation. For more details on the procedure please refer to the Decisions provided as separate attachment.

5/ Description of the category or categories of data subjects

EMCDDA's officials as defined in Article 1 of the Staff Regulations and temporary staff as defined in Article 2 of the CEOS.

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

Family name, name, personnel number, seniority, grade, function group, outcome of the performance appraisal exercise.

7/ Information to be given to data subjects

Data Subjects have full access to the relevant decisions of the EMCDDA's Management Board which are posted in the EMCDDA's Intranet.

Furthermore, their attention is drawn to the concerned privacy statement (see attachment provided separately). Special informative sessions about the new procedures addressed to all staff members have been organised

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

Data Subjects are informed of their rights and have always the possibility to access , verify or correct t heir datait in accordance with the relevant privacy statement (see attachment provided separately).

9/ Automated / Manual processing operation
n.a

10/ Storage media of data

Paper-based and electronic storage system in the dedicated drive of the Human Resources Management Sector (HRMS). This drive is accessible only by authorised HRMS staff and by ICT staff only for technical maintenance and support. Each final decision on promotion/reclassification is going to be kept in the personal files of the official or temporary agent concerned. Personnel files are stored in locked cupboards within the HRMS.

11/ Legal basis and lawfulness of the processing operation

Decisions of the EMCDDA's Management Board on the career and promotion/reclassification of officials and temporary agents (see the attachment provided separately). The processing is lawful and necessary pursuant to Article 45 of the Staff regulations and Article 10 and 15 of the Conditions of employment of other servants of the European Communities (CEOS). 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

The staff member concerned, the Head of unit, or the Director for the Heads of unit and for the staff working directly with him, the members of the promotions/reclassification Management Committee, the members of the promotion/reclassification Joint Committee only in case of appeal, the Director in his capacity of appointing/contracting authority. The Human resources officer dealing with the promotions/reclassifications exercise. Other EU institutions only 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 reception of the justified legitimate request by 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 conservation period indicated at point 13.a) above, only anounimous data for statistical purpose will be kept .

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