

REGISTER NUMBER:

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 06/06/2011

Case number: 2011-0560

Institution: European Commission

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

2) Name and First Name of the Controller:FRACCHIA-FERNANDEZ Alicia

3) Title:Head of Unit

4) Directorate, Unit or Service to which the Controller is attached:R.1

5) Directorate General to which the Controller is attached:DGT

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

26) External Company or Directorate General to which the Processor is attached:

25) External Company or Directorate, Unit or Service to which the Processor is attached:

3/ Name of the processing

Interinstitutional exchanges of AD and AST staff.

4/ Purpose or purposes of the processing

13.1 To collect applications from staff to select those who may take part in the exchanges scheme.

13.2 to complete the assessment file for the period of the exchange, upon request of the staff member concerned, should he/she decide that it is to be considered in the framework of the annual assessment exercise.

5/ Description of the category or categories of data subjects

14) Data Subject(s) concerned:

Persons concerned

DGT officials who apply and those who are selected and take part in the scheme

16) Category(ies) of Data Subjects:

See item 14.

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

17) Data field(s) of Data Subjects:

Attention: Please indicate and describe in the answer to this question also data fields which fall under article 10

Name of the person,

birth date

grade

unit of assignment,

place of exchange

'appreciation of host Head of Unit'

No data related to Article 10 is concerned

18) Category(ies) of data fields of Data Subjects:

Attention: Please indicate and describe in the answer to this question also categories of data fields which fall under article 10

CVs with personal and professional data. See annex under point 17. No data related to article 10.

7/ Information to be given to data subjects

15a) Which kind of communication(s) have you foreseen to inform the Data Subjects as described in articles 11 - 12 under 'Information to be given to the Data Subject'

The following information will be published on DGTnet, in the specific scheme intranet pages, in addition to all documents related to the call for applications for the Exchanges Scheme.

"In sending the application site the candidate authorizes the Translation Services of the European Economic and Social Committee / Committee of the Regions, the Commission, the Council, the Court of Auditors, the European Central Bank, the European Parliament and the Translation Centre to read, copy and process the content of his/her application for the purpose of the selection.

Application to the Interinstitutional Exchanges Scheme, will entail the treatment of personal and professional data submitted by the applicant. This processing will be made in accordance with Regulation (EC) No 45/2001. The responsibility for this processing lies with the Head of Human Resources Unit of the Directorate General for Translation.

The data will be made available to Human Resource Managers of the Translation Services of the European Economic and Social Committee / Committee of the Regions, the Commission, the Council, the Court of Auditors, the European Central Bank, the European Parliament and the Translation Centre who may delegate an access to Heads of Unit in their Directorate General for the purpose of selection and reporting. The Curriculum Vitae to complete the application form and the signature and/or comments of the report at the end of the period of exchange are obligatory: non acceptance of these reporting obligations will entail the exclusion of the applicant from the selection procedure for the Exchanges Scheme.

Data will be kept for 12 months.

Applicants have the right to access, and the right to rectify their data through the following mail box: DGT-R-1-SECRETARIAT@ec.europa.eu.

Applicants have the right to have recourse at any time to the European Data Protection Supervisor. <http://www.cc.cec/dataprotectionofficer/>

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

15b) Which procedure(s) did you put in place to enable Data Subjects to exert their rights: access, verify, correct, etc., their Personal Data as described in articles 13 - 19 under 'Rights of the Data Subject' :

Applicants are informed via the above-mentioned "Specific Privacy Statement" that they have the right to access, and the right to rectify the data concerning him/her through the following mail box: [DGT-R-1-SECRETARIAT @ec.europa.eu](mailto:DGT-R-1-SECRETARIAT@ec.europa.eu).

Applicants are also informed that they have the right to have recourse at any time to the European Data Protection Supervisor. <http://www.cc.cec/dataprotectionofficer/>

9/ Automated / Manual processing operation

7) Description of Processing:

Attention: Please describe in the answer to this question if you process personal data falling under article 27 "Prior-Checking (by the EDPS - European Data Protection Supervisor)"

Some of the data (personal and professional data entered on CV) detailed under point 17 is collected for each applicant and all data (personal and professional data entered on CV and elements of efficiency and conduct in the final report) detailed under point 17 is collected for the persons participating in the scheme.

The scheme includes:

- a selection process (by the HR Unit and the units/language departments) based on the CVs, which are sent to the person responsible in each of the institutions concerned. CVs of staff are received also from the concerned institutions. CVs are sent to the Language Departments/units requested/targeted by the applicants;

- lists of the selected candidates are sent to all institutions concerned

- at the end of the scheme, a report is drafted by the hosting head of unit, and signed by the person concerned.

A copy of the report is sent to the head of the unit to which the person is assigned. Data in this report includes elements linked to the evaluation of the person concerned. (cf points 11, 12 et 13). This data falls under Article 27 (2) (b). At the end of the exchange period, the head of the host unit or division draws up a brief assessment report. This report is presented to the official and countersigned by him/her. The official may also record his comments on the report, which will he can include in his personal file (in Sysper 2). A copy is sent to the hierarchical superior in order to be considered for the annual evaluation purposes.

The official also draws up a brief report on his experience on the basis of a questionnaire, which will be sent to the heads of the host unit and unit of origin .

Data on assessment received by the HR Unit is erased at any moment after transmission of the reports to the staff member and head of unit and encoding, upon request by staff concerned, in Sysper 2.

This treatment of reports is mentioned in the call for applications, under "administrative arrangements" .

8) Automated Processing operation(s):

Excel files based on the application forms.

9) Manual Processing operation(s):

Paper application files are received and screened by the HR Unit for conformity checks against eligibility criteria and ranking of the applicant's preferences.

10/ Storage media of data

Electronic files including: application form and CV's and reports. Data is stored only in the unit drive. Access is limited to HR Unit staff responsible for the file.

11/ Legal basis and lawfulness of the processing operation

11) Legal basis of Processing:

Decision of the Intersintititutional Committee (minutes and report)

The Interinstitutional Committee for Translation and Interpretation is the forum for co-operation between the language services of the European Union institutions and bodies. In March 1995 at the initiative of the Board of Heads of Administration a forum for translation services was set up under the name of Interinstitutional Translation Committee (ITC). http://www.cc.cec/translation/interinstitutional/icti/documents/index_en.htm

The second attached document is considered as the legal act establishing this systems of inter-institutional exchanges as currently applied. The exchanges scheme pilot project has been extended until end 2011. The final decision on the scheme will be taken only after the evaluation of the 2-years pilot.

12) Lawfulness of Processing:

Answering this question please also verify and indicate if your processing has to comply with articles 20 "Exemptions and restrictions" and 27 "Prior checking (by the EDPS)"

" Processing of personal data is lawful according to art. 5a; Article 27.2 b) is applicable"

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

20) Recipient(s) of the Processing:

Depending on the place of exchange: Human Resource Managers of the Translation Services of the European Economic and Social Committee / Committee of the Regions, the Commission, the Council, the Court of Auditors, the European Central Bank, the European Parliament and the Translation Centre who may delegate an access to Heads of Unit in their Directorate General for the purpose of selection and reporting.

The assessment reports are drafted by the head of unit of the hosting institution and countersigned by the staff member concerned. A copy of this report is transmitted by the DGT Human Resources Unit to the line manager of the staff member.

21) Category(ies) of recipients:

Depending on the place of exchange: Human Resource Head of Unit/Head of sector/gestionnaires of the Translation Services of the European Economic and Social Committee / Committee of the Regions, the Commission, the Council, the Court of Auditors, the European Central Bank, the European Parliament and the Translation Centre who may delegate an access to Heads of Unit in their Directorate General for the purpose of selection and reporting

13/ retention policy of (categories of) personal data

Retention period is 12 months.

Destruction of paper files and deleting of electronically stored information.

Non selected candidates files (CV and application form) are deleted within a 6 months. However, some details may be kept longer for the reporting need at the end of the year (no more than 12 months).

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)
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(Please, specify the time limits for every category, if applicable)

22 b) Time limit to block/erase data on justified legitimate request from the data subjects

Data on assessment can be modified or erased at any moment after transmission of the reports to the persons concerned (staff and head of unit of assignment of the staff member concerned)

CV data can be modified at any moment or erased after the selection procedure upon request

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,

22 c) 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

27) Legal foundation of transfer:

Only transfers to third party countries not subject to Directive 95/46/EC (Article 9) should be considered for this question. Please treat transfers to other community institutions and bodies and to member states under question 20.

Not applicable

28) Category(ies) of Personal Data or Personal Data to be transferred:

Not applicable

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

7) Description of Processing:

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12) Lawfulness of Processing:

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Article 27.2.(a) Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

n/a

Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject,

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,

n/a

Article 27.2.(d) Processing operations for the purpose of excluding individuals from a right, benefit or contract,

n/a

Other (general concept in Article 27.1)

n/a

17/ Comments

1) Date of submission:

10) Comments if applicable:

The assessment report is written 'ex-post' therefore non-acceptance of the report has no impact on the selection procedure.

36) Do you publish / distribute / give access to one or more printed and/or electronic directories?

Personal Data contained in printed and/or electronic directories of users and access to such directories shall be limited to what is strictly necessary for the specific purposes of the directory.

If Yes, please explain what is applicable.

no

37) Complementary information to the different questions if applicable, including attachments to this notification which should not be public :

PLACE AND DATE:06/06/2011

DATA PROTECTION OFFICER: RENAUDIÈRE Philippe

INSTITUTION OR BODY:European Commission