

REGISTER NUMBER: 697

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 24/06/2011

Case number: 2011-0614

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: DUBS Christian

3) Title: Chef d'Unité DG INFSO.R.1

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

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

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

INFSO Staff Competencies and Aspirations Mapping database in the context of voluntary internal mobility (hereinafter the "database")

4/ Purpose or purposes of the processing

The overall purpose of the data base is to facilitate the voluntary mobility of DG INFISO staff on the basis of the knowledge of their wishes in terms of mobility within the DG and of their competencies and professional experience already present but not necessarily known, by having this information stored centrally and systematically structured.

The lack of such information may result in a sub-optimal use of staff competencies and abilities, a mismatch between their aspirations and tasks assigned and consequently in reduced staff motivation.

The Competencies and Aspirations Mapping database will also enable the Human Resources Unit to advise the management of DG INFISO on:

-the identification of human resources with specific profiles when designating potential task forces or to meet urgent or unforeseen tasks

- the improvement of the quality of the advice and assistance that can be given to staff (e.g. by local career guidance officers) when staff wish to take decisions about their careers, on the basis of more accurate information on individual profiles and aspirations.

The Competencies and Aspirations Mapping database does not replace any existing procedure for selection, recruitment or assessment of staff.

DG INFISO staff is invited to provide information on their professional experience, educational background, linguistic capabilities, competencies and aspirations for potential internal mobility by answering an online survey. The data contained in the INFISO's Competencies and Aspirations Mapping database are introduced on the basis of the survey.

Answering the survey is voluntary and no member of staff will suffer any consequence for not answering it.

Furthermore, it should be noted that information contained within the Competencies and Aspirations Mapping database will not be used to measure staff performance or productivity. It will not be used for evaluation purposes in the context of the Appraisal and promotion exercise.

5/ Description of the category or categories of data subjects

14) Data Subject(s) concerned:

All DG INFISO staff

16) Category(ies) of Data Subjects:

All DG INFISO staff.

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

Data subjects are invited to provide data on their education, work experience, language knowledge, competencies and aspirations.

No processing of data, falling within the meaning of Article 10 of Regulation 45/2001, is carried out.

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

See 17.

All data fields contain work-related data. They relate to the administrative situation, professional experience, education, competencies, language knowledge and aspirations.

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'

In the message that will be sent from the Director General to launch the exercise, all staff are informed that the Competencies and Aspirations Mapping database will be in compliance with Regulation (EC) 45/2001 on the protection of individuals with regards to the processing of personal data and notified to the Data Protection Officer of the Commission. A specific privacy statement with a link to the Regulation 45/2001 is attached to the questionnaire which launches the exercise and the Competencies and Aspirations Mapping database input screen. A message from the Director-General and in the header of the input screen will invite staff members to read the documents. The model questionnaire is attached under point 37 (not public). The questionnaire system used by the staff to enter first time data is the one checked by the EDPS on the Surveys Notification - File 2004/0196.

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' :

Staff can access, modify and delete the data they provided at any moment. Data subjects are responsible for the quality of the data provided and hence for the verification and correction of the data. The data processing does not trigger any automated decision making. The aim of the data searches will be to identify potential staff members possessing particular skills in the context of voluntary mobility within the DG or necessary to perform a particular task. Once such a person has been identified the results of the data search will be destroyed.

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)"

The overall purpose of the database is to facilitate the voluntary mobility of DG INFSO staff (officials and other servants, as defined by the Staff Regulations and CEOS No 31/1962 and 11/1962, hereinafter "staff") on the basis of the knowledge of their wishes in terms of mobility within the DG and the knowledge of their competencies and professional experience already present but not necessarily known, by having this information stored centrally and systematically structured. This information will be used solely to achieve this objective and will not be used for performance evaluation purposes. The privacy statement is attached at point 37 (limited to DG INFSO staff). The Competencies and Aspirations Mapping database does not replace any existing procedure for selection, recruitment or assessment of staff. DG INFSO staff is invited to provide

8) Automated Processing operation(s):

No automated process will be put in place.

9) Manual Processing operation(s):

The Controller will perform searches in the database on the basis of a range of criteria:

A. Criteria relating to mobility aspirations:

Aspirations for future voluntary internal mobility

B. Criteria relating to competencies:

1. Professional experience
2. Educational qualifications and work related diplomas or certificates
3. Work-related competencies and language knowledge

The searches in the database are only available to the authorized users with appropriate access rights.

Varying access rights are accorded to users, depending on their profile:

Staff members' rights

? right of identification to the system: allows the user to be connected to the system

? right to consult, amend and delete one's personal data: possibility of consulting and printing one's personal data

Controller's rights

? right to consult all personal data: possibility of consulting and printing all data in the computer system regarding INFISO staff registered in the database

? search rights

There are 3 categories of users:

1. The Controller : manages the access rights and can search in the database
2. The Processor(s) : can search in the database on behalf of the Controller
3. The Staff member : is able to insert, consult, modify or delete only own personal data

Each staff member in DG INFISO has the right of identification to the system and to consult and amend his/her personal data.

Access to consult and search all personal data introduced may be given via a specific delegation to other relevant staff in the Human Resources Unit of DG INFISO by the Controller on a strictly "need to know" basis, which is necessary to perform the task.

Persons accessing data in the system may not use them for purposes other than those compatible with the Competencies and Aspirations Mapping database. All recipients of the data are informed of their obligation to comply with the requirements of Regulation (EC) 45/2001.

See also reply to question 7 above.

10/ Storage media of data

All files held on the servers will be backed up in accordance with the common policy defined by DG DIGIT.

11/ Legal basis and lawfulness of the processing operation

11) Legal basis of Processing:

The processing operations on personal data linked to the establishment of the present database are in accordance with article 5a of Regulation 45/2001 and are necessary for the performance of tasks carried out on the basis of the Staff Regulations and CEOS No 31/1962 and 11/1962.

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)"

Since the provision of the data introduced in the Competencies and Aspirations Mapping database is not mandatory, the processing is lawful within the meaning of article 5(d) of Regulation (EC) 45/2001 because the data subject has unambiguously given his or her consent.

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

20) Recipient(s) of the Processing:

See below point 21.

21) Category(ies) of recipients:

The Controller manages the access rights as described in point 9.

The recipient of the data are the members of INFISO Management, to whom individual data will be provided on case by case requests for the purpose of allocating the urgent or unforeseen tasks.

All recipients of the data are informed of their obligation to comply with the requirements of Regulation (EC) 45/2001.

13/ retention policy of (categories of) personal data

Unless the data subject deletes the data introduced on a voluntarily basis, data will be available in the database for as long as they work at DG INFISO. However, once the data subject leaves DG INFISO all data will systematically be deleted by the system administrator.

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)

(on justified legitimate request from the data subject)

(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

Staff can access, modify and delete the data they provided at any moment. In case of need the system administrator will provide assistance. Data will be erased by the system administrator when the member of staff leaves the DG.

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

N/A

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.

n/a

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

n/a

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

7) Description 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,

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Article 27.2.(c) Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,

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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:

N/A

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 :

N/A

PLACE AND DATE:24/06/2011

DATA PROTECTION OFFICER: GEORGES Louis

INSTITUTION OR BODY:European Commission