

**REGISTER NUMBER: 870**

**NOTIFICATION FOR PRIOR CHECKING**

Date of submission: **11/07/2012**

Case number: **2012-0590**

Institution: EC

Legal basis:

Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject(1)

(1) OJ L 8, 12.01.2001

**INFORMATION TO BE GIVEN<sup>(2)</sup>**

(2) Please attach all necessary backup documents

**1/Name of the processing**

EUSA - Self-perception questionnaire ("PERFORMANSE")

**2/Description**

The activity concerns the use by officials and other staff of the EU  institutions, offices and agencies (hereinafter referred to as  "participants") participating in training courses organised by the  "European School of Administration" (hereinafter referred to as the School)  of a web-based tool. This tool takes the form of a self-assessment and  collects information about participants' behavioural tendencies and  motivations in their working environment. After completion participants  receive two feedback reports and, upon request, may receive a feedback  session by telephone.  This activity is entirely voluntary. The participants may freely agree to  participate, they may freely access their reports on-line, they may also  decide to ask some feedback from the processor who will then access their  reports.  A detailed description of the procedure is attached to this topic (first  attachment).  A communication is sent to the participants explaining the conditions of  their participation and the procedure (second attachment).

**3/Processors**

Performanse S.A.S; Bernard Julhiet Group SAS

**4/Automated / Manual operations**

The data is entered into a website to which the person concerned has a  unique, individual access.

#### **5/Storage**

Data for the Performanse© system are held on a fixed hard drive on a secure  web server computer in the processor's secure premises in Paris, France.

#### **6/Comments**

Participation in this activity by the person concerned is entirely  optional.

All data are processed solely for the purposes of providing feedback.

Neither "the School" nor others within the Institutions, offices or  agencies have access to any data contained in the feedback reports.

Participants will be made aware of the above.

The data processing will be carried out by Performanse S.A.S who will be  sub-contracted for this purpose by one of the contractors providing the  training course for "the School". As sub-contractors they will be subject  to the same conditions concerning data protection set out in the contract  with the contractors. Any future change of contractor will be indicated in  the specific declaration made available to data subjects. The current  contractors are set out under question 3.

#### **7/Purposes**

The purpose of the processing is to allow participants in "the School"  training courses to obtain feedback in the form of two feedback reports  showing their behavioural tendencies and main motivation levers. The data  will not be used in any form of evaluation (appraisal) process of any of  the persons involved.

#### **8/Legal basis and Lawfulness**

- decision n° 2002/620/CE of the European Parliament, the Council, the  European Commission, the Court of Justice, the Court of Auditors, the  European Economic and Social Committee, the Committee of the Regions and  the European Ombudsman of 25 July 2002 culminating in the creation of the  European Personal Selection Office;

- decision n° 2005/118/CE of the European Parliament, the Council, the  European Commission, the Court of Justice, the Court of Auditors, the  European Economic and Social Committee, the Committee of the Regions and  the European Ombudsman of 26 January 2005 culminating in the creation of  the European Administrative School;

- decision n° 2005/119/CE of the Secretaries General of the European  Parliament, the Council, the European Commission, the Court of Justice, the  Court of Auditors, the European Economic and Social Committee, the  Committee of the Regions and the European Ombudsman of 26 January 2005  concerning the organisation and operation of the European Administrative

#### **9/Data subjects**

Officials and other staff of the EU institutions, offices and agencies   
participating in courses organised by "the School".

**10/Data fields / Category**

Data of a personal nature allowing the identification of the data subject   
(name, given name, electronic address, password) and feedback reports.

**11/Mandatory Information**

All persons participating in this activity will receive an information note   
to explain the processing and the treatment of data. This information note   
contains a link to the privacy statement.  
See copy of this note attached to point 2 (Communication to the   
participants).

A copy of the privacy statement itself is attached to this topic.

**12/Procedure to grant rights**

The procedure to grant rights is explained in the privacy statement   
attached hereabove. See response in the annex to point 11.

**13/Retention**

Information held consists partly of personal data (e.g. client name,   
organisation, e-mail address) and partly of numerical data (sets of numbers   
that are used to create the participants' reports). The two types of data   
are firstly held in "request" files and then are input into a database. The   
request files are kept for 90 days and then deleted. The database records   
are held for 90 days after the questionnaire completion and then deleted.   
The client reports are held for 90 days after the questionnaire completion   
and then deleted.

**14/Time limit**

The sub-contractor would be able to react within 24 hours after a request   
from "the School" and/or a participant.

**15/Historical purposes**

N/A

**16/Recipients**

When requested by the participant, the person from "the School"'s   
subcontractor providing oral feedback by telephone.  
For billing purposes only "the School" receives a presence list signed by   
those who completed the questionnaire and received the oral feedback.  
"The School"'s contractor receives an email confirmation that a report has   
been completed for a particular person.

**17/Transfer out of UE/EEA**

Not applicable.

**18/Technical and organizational measures**

See attachment

**19/Complementary information**

The following clause is included in the contract between "the School" and  its contractor:

**ARTICLE I.9 – DATA PROTECTION**

1.9.1 Any personal data included in or relating to the Contract, including  its execution shall be processed pursuant to Regulation (EC) No 45/20011 on  the protection of individuals with regard to the processing of personal  data by the Community institutions and bodies and on the free movement of  such data. It shall be processed solely for the purposes of the  performance, management and follow up of the Contract by (contact details  in article I.7 above), without prejudice to possible transmission to the  bodies charged with a monitoring or inspection task in conformity with  Community law. . The Contractor shall have the right of access and the  right to rectify any personal data concerning him. All questions regarding  the latter should be addressed to the EAS.

The Contractor shall have right of recourse at any time to the European  Data Protection Supervisor.

PLACE AND DATE:11/07/2012

DATA PROTECTION OFFICER: PACKER Frida

INSTITUTION OR BODY:European Commission