(To be filled out in the EDPS' office)
REGISTER NUMBER: 953

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NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 18/02/2013

CASE NUMBER: 2013-0206

INSTITUTION: EEAS

LEGAL BASIS: ARTICLE 27-5 OF THE REGULATION CE N° 45/2001([1])

INFORMATION TO BE GIVEN[2]

1/ NAME AND ADDRESS OF THE CONTROLLER

Jaime Perez Vidal, Head of Division
EEAS MDR.C.4 Career and Learning Development

European External Action Service
EEAS JOYE 7/191

2/ ORGANISATIONAL PARTS OF THE INSTITUTION OR BODY ENTRUSTED WITH THE PROCESSING OF PERSONAL DATA

EEAS – MDR Division C4 – Career and Learning Development

3/ NAME OF THE PROCESSING

Appraisal exercise for EEAS officials and temporary agents (art. 43 SR).

4/ PURPOSE OR PURPOSES OF THE PROCESSING

The objective of the processing operation, i.e. the appraisal exercise, is to evaluate the performance and provide an appraisal of officials and temporary agents.

[1] OJ L 8, 12.01.2001.

[2] **Please attach all necessary backup documents**

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

- Officials of EEAS
- Temporary Agents of EEAS

6/ DESCRIPTION OF THE DATA OR CATEGORIES OF DATA *(including, if applicable, special categories of data (Article 10) and/or origin of data).*

Report type/name, surname and personal number of assessor and of appeal assessor, appraisal itself
Objectives/Job description/former appraisals/contribution reports (taken from the system "SYPER2")

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

A Privacy Statement linked to this Notification contains all information provided to the Data Subject(s).
The aforementioned distinct Privacy Statement is available on the intranet – EEASzone, the intranet of the EEAS.
(http://webgate.eeas.testa.eu/eeas/eeaszone/?q=node/27803)

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

(Rights of access, to rectify, to block, to erase, to object)

Data subjects will have access to the same data defined above. These will be communicated through an https internet application: e-APPRAISAL.

Data subjects will have full active access to the self-assessment module. Request for modification of other handling of data can be requested through the case handlers in MDR.C.4

The data subjects have the right to access their personal data and the right to correct any inaccurate or incomplete personal data, as well as to request the removal of their personal data, which will be implemented within 10 working days after the request will have been deemed legitimate. If the data subjects have any queries concerning the processing of their personal data, they may address them to the data controller at the following functional mailbox: EEAS-APPRAISAL-PROMOTION@eeas europa.eu.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

Both: Manual and Automated Processing

10/ STORAGE MEDIA OF DATA

Secured central server

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

HR DEC (2012) 05: Decision of the High Representative of 16 May 2012 adopting implementing provisions for Article 43 of the Staff Regulations available on http://intradel/eeas/node/371.

12/ THE RECIPIENTS OR CATEGORIES OF RECIPIENT TO WHOM THE DATA MIGHT BE DISCLOSED

- The hierarchical superiors of the data subject, who are defined as actors in the appraisal dossier
- MDR-C4 case-handler(s) in the career section.

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

Data are to be stored until all legal rights and obligations referring to the employment contract or to the status of an official or a temporary agent and all recourse possibilities have elapsed. The conservation of such data cannot exceed a period of 10 years after

a) the termination of their contract or
b) their retirement from active service.

Data will be removed at the end of this period.

13 A/ TIME LIMIT TO BLOCK/ERASE ON JUSTIFIED LEGITIMATE REQUEST FROM THE DATA SUBJECTS

The data subject has the right to access his or her personal data and the right to correct any inaccurate or incomplete personal data, as well as to request the removal of his/her personal data, which will be implemented within 10 working days after the request will have been deemed legitimate.

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

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.
N/A

15/ PROPOSED TRANSFERS OF DATA TO THIRD COUNTRIES OR INTERNATIONAL ORGANISATIONS

N/A

16/ THE PROCESSING OPERATION PRESENTS SPECIFIC RISK WHICH JUSTIFIES PRIOR CHECKING *(Please describe):*

YES.

AS FORESEEN IN:

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,

The purpose is to evaluate the performance of officials and temporary agents.

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

DECRIPTION of the PROCESS

Self-assessment (SA)

The MDR-C4 asks the jobholder (JH) to write a self-assessment (max. 8 working days).

Dialogue (insertion of the date in the report)

After receiving the SA, the assessor holds a dialogue with the JH.

The reporting officer draws up the qualitative report.

In the 10 working days following the dialogue, the reporting officer drafts an individual qualitative appraisal of the jobholder's efficiency, ability and conduct in the service. For officials in the AST function group, the assessor may be asked to assess the potential of the jobholder to carry out duties usually assigned to an administrator.

The jobholder accepts or refuses the report

He has 5 working days to confirm or refuse the report.

If the report is accepted it shall become final. A jobholder who does not react within the time limits referred to in the previous paragraph shall be considered to have accepted the report. If the report is not accepted it shall become an 'Appeal'.

The appeal assessor decides on the appeal of the jobholder

The appeal assessor invites the jobholder to a second dialogue.

Second dialogue (insertion of the date in the report)

If the appeal assessor confirms the report (with or without including comments) the report shall become final.

If the appeal assessor asks the assessor to modify the report, the report is returned to the assessor through a technical intervention of the Human Resources department

N.B. Days of justified absence (for missions, leave, illness, etc.) are to be deducted from the time-limits given to job holders during the procedure.

PLACE AND DATE: **BRUXELLES, 15-02-2013**

DATA PROTECTION OFFICER: MS. **CARINE CLAEYS, EEAS DPO** _____

INSTITUTION OR BODY: **EUROPEAN EXTERNAL ACTION SERVICE (EEAS)**