

(To be filled out in the EDPS' office)

REGISTER NUMBER: 1028

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NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 24/06/2013

CASE NUMBER: 2013-0700

INSTITUTION: SESAR JU

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

INFORMATION TO BE GIVEN²

1/ NAME AND ADDRESS OF THE CONTROLLER

SESAR JOINT UNDERTAKING
100 AVENUE DE CORTENBERGH
1000 BRUXELLES

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

SJU Finance and Administration Directorate – HR Sector

3/ NAME OF THE PROCESSING

Assessment and Reporting on Probationary Periods

4/ PURPOSE OR PURPOSES OF THE PROCESSING

Personal data is processed in order to meet the requirements of the Staff Regulations (article 34) and the Conditions of Employment of other Servants of the European Communities (article 14 and 84) related to staff probationary periods, namely the assessment of person-job match in order to confirm

¹ OJ L 8, 12.01.2001.

² Please attach all necessary backup documents

the engagement of staff, to extend the probationary period or to terminate the contract of employment as needed.

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

SJU temporary agents and Contracts Agents whose contracts are concluded for a duration of one year or more.

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

Please refer to the Probationary Period Report form for temporary agents and contract agents (both templates are annexed to the present). The following personal data is recorded in the various parts of the form: surname and first name - personnel number - status - job title function group and grade career history- job description - self-assessment - Reporting officer's comments on efficiency, competencies, conduct in the service during the probationary period - reporting's officer recommendation, countersigning officer's comments (for temporary agents) - probationer's comments and/or signature

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

Before launching the probationary process, HR sends an explanatory email with the description of all steps till the finalisation of the probationary report. Reporting officers are also informed of what is expected from them by the HR sector.

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

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

The Probationer's rights are guaranteed during the process in the form of a dialogue between the Reporting Officer and the probationer before the report is finalised. At the completion of the report, the Probationer needs to sign the report and can request a copy of the final version of the form. The final version of the form is placed in the personal folder of the Probationer that he/she can consult at his /her request at the HR Sector

9/ AUTOMATED / MANUAL PROCESSING OPERATION

The processing operation is essentially manual but the launching is done by email from the reporting officer to the staff under probation. Exchange of the self-assessment and assessment between the reporting officer and the probationary staff may be done through email but it should be protected by a password which shall be sent by separate mail.

When the exchanges are done manually, the envelope shall be sealed with indication of confidential internal mail (special routing slip/instructions given by the HR Sector).

The finalised report is manually given to the HR Sector by sealed confidential internal mail.

10/ STORAGE MEDIA OF DATA

The finalised Probationary report (hard copy signed by all parties) is filed by HR in the Jobholder's personal file which is stored in a safe in the HR secured office.

A scanned copy is also stored in the jobholder's personal file which is only available to the HR Sector.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

- Article 14 and article 84 of CEOS.
- Article 6 of Decision 25 of the SESAR Joint Undertaking Administrative Board of 9 October 2009 on general implementing provisions on the procedure governing the engagement and the use of Temporary agents at the SJU
- Article 3 of Decision 27 of the SESAR Joint Undertaking Administrative Board of SESAR Joint Undertaking on General implementing provisions on the procedure governing the engagement and the use of contract staff at the SESAR Joint Undertaking.

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

Reporting Officer, Countersigner officers, Executive Director, Deputy Executive Director Administration and Finance Director, Human Resources staff, European Court of Auditors, OLAF, IAS, Civil service Tribunal, and Ombudsman.

Transfer may be allowed to other EU institutions, agencies or bodies in case of transfer of a specific staff member or in the continuity of contracts (especially for contract agents),

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

The final probationary period report is placed in the personal file and will remain there for up to 10 years after the termination of employment or the last financial transaction, the latest prevailing.

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

Data subjects are able to exercise their rights at any time during the process by contacting the HR Sector. Justified requests for blocking, erasure or rectification of any factual data processed during the process shall be handled within 5 working days.

Evaluation data cannot be rectified.

Data subjects can also request to have access to their personal data by sending an e-mail to the HR Sector: HR@sesarju.eu.

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*):

AS FORESEEN IN:

↑

↑ Article 27.2.(b)

Processing operations intended to evaluate personal aspects relating to the data subject,

↑ Article 27.2.(d)

Processing operations for the purpose of excluding individuals from a right, benefit or contract,

↑ Other (general concept in Article 27.1)

17/ COMMENTS

The following annexes are included to the present notification: 1) probationary report for temporary agents 2) probationary report for contract agents

PLACE AND DATE: BRUSSELS, 24/06/2013

DATA PROTECTION OFFICER: DANIELLA PAVKOVIC

INSTITUTION OR BODY: SESAR JOINT UNDERTAKING