

(To be filled out in the EDPS' office)

REGISTER NUMBER: 1041

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NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 26/06/2013

CASE NUMBER: 2013-0722

INSTITUTION: EIGE

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

INFORMATION TO BE GIVEN²

1/ NAME AND ADDRESS OF THE CONTROLLER

EUROPEAN INSTITUTE FOR GENDER EQUALITY (EIGE)
HUMAN RESOURCES
GEDIMINO PR. 16
LT-01103 VILNIUS
LITHUANIA

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

ADMINISTRATION UNIT, HUMAN RESOURCES
Marc Jaccarini, Marc.Jacarini@eige.europa.eu

3/ NAME OF THE PROCESSING

Probationary reports and staff performance appraisal

4/ PURPOSE OR PURPOSES OF THE PROCESSING

To document the probationary period and performance appraisal of staff members.

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

¹ OJ L 8, 12.01.2001.

² **Please attach all necessary backup documents**

Temporary Agents and Contract Agents.
For appraisal reports in addition Seconded National Experts and Trainees.

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

Generic personal data (surname, name, date of commencement, job title, grading and classification). There could be a reference on a case by case basis to absences from work for reasons such as sickness, parental or maternity leave in case of extension of the probation period (art. 34 of the staff regulations). An individual report drawn up by the reporting officer on the ability of the performer to perform the duties pertaining to his/her job is issued. Future tasks and objectives of the jobholder are also identified.

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

From the processes itself, the staff is aware that the HR section co-ordinates probation and performance appraisal process with the participation of the relevant reporting officers and counter-signing officer. Each staff member has exclusive access to the documents which can be found in the personal file of the individual concerned.
Specific privacy statement is available on the Intranet.

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

Every staff member has the right to request the HR section to provide access her/his own personal file which will include the relevant documents relating to their own probation and appraisal reports. Normally such a request is made verbally or in writing to eige.hr@eige.europa.eu. The job holder and her/his reporting officer both have the possibility to include written comments as necessary.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

For the time being the process is manual. Documents are stored in secured filing cabinets located in the office of the HR officer.

10/ STORAGE MEDIA OF DATA

Documents are stored in secured filing cabinets.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

Article 5(a) of the Regulation.

For probationary reports

Articles 34 of the Staff Regulations and Articles 14 and 84 of the Conditions of Employment of Other Servants – CEOS.

For performance appraisal

Temporary and Contract agents

Articles 43 of the Staff Regulations and Articles 15(2) and 87 of the Conditions of Employment of Other Servants - CEOS) and Implementing Rules on Article 43.

Seconded national experts

Implementing rules on Article 43 provide a relevant reference.

Trainees

Article 5 of EIGE's Traineeship Policy.

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

HR officer

Reporting officer

Countersigning officer

Members of Joint Evaluation Committee (in case of appeal)

Staff of OLAF, IAS, Civil Service Tribunal, European Ombudsman, EDPS upon request and limited to what is necessary for official investigations or for audit purposes

In case of the transfer of a specific staff member, administrative and evaluation data contained in the personal files could be transferred to responsible services in other EU institutions, bodies or agencies.

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

Identified personal data and career development reports are available five years after their completion.

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

30 days after notification.

(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.

No identifiable data will be kept longer than the specified period.

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

No identifiable data shall be transferred to third countries other than the requested by the treaties on the functioning of the European Union.

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

AS FORESEEN IN:

↑ Article 27.2.(a)

There could be a reference on a case by case basis to absences from work for reasons such as sickness, parental or maternity leave in case of extension of the probation period (art. 34 of the staff regulations).

Data revealing trade union membership may be collected in the self-assessment part of reports.

↑ Article 27.2.(b)

The processing operations are intended to evaluate personal aspects relating to the data subject; namely, the ability, efficiency and conduct of the respective staff members.

17/ COMMENTS

This notification is an ex-post prior check (the processing operations are already implemented).

List of Annexes:

Annex 1 – EIGE guide to appraisal

Annex 2 – Probationary report template

Annex 3 – Privacy statement

PLACE AND DATE: VILNIUS, 21 JUNE 2013

DATA PROTECTION OFFICER: RAMUNAS LUNSKUS, RAMUNAS.LUNSKUS@EIGE.EUROPA.EU

INSTITUTION OR BODY: EUROPEAN INSTITUTE FOR GENDER EQUALITY (EIGE)