

(To be filled out in the EDPS' office)
REGISTER NUMBER:1057

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NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 28/06/2013

CASE NUMBER: 2013-0742

INSTITUTION: EDA

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

INFORMATION TO BE GIVEN²

1/ NAME AND ADDRESS OF THE CONTROLLER

Jan-Paul Brouwer, Head of Human Resources unit - rue des Drapiers 17-23 – 1050 Bruxelles

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

The HR unit, the Head of Human Resources, the Line Manager, the Reviewer and the Probationer.

3/ NAME OF THE PROCESSING

Probationary Period Report

4/ PURPOSE OR PURPOSES OF THE PROCESSING

To assess the ability, efficiency and conduct in the service during the probationary period of the staff members: temporary and contract agents (TAs and CAs) with a view to confirm or not to confirm the contract or to extend the duration of the probationary period.

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

All EDA Staff except Senior Management (i.e. Temporary Agents and Contract Agents whose contracts are concluded for a duration of one year or more).

¹ OJ L 8, 12.01.2001.

² **Please attach all necessary backup documents**

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, **annex 1**. The following personal data is recorded in the various parts of the form:

Cover page

Surname and first name

Administrative Status

Purpose of the report

Grade

Directorate/Unit

Job Title

Start of contract

Assessment period

Line Manager

Reviewer

Part I

Detailed description of duties and tasks performed (to be completed by the employee and cleared by his/her line manager)

Part II

1. Assessment rating
 - a) Qualities
 - b) Performance
2. Overall assessment
3. Overall performance

Part III – Reviewer’s comments, date and his/her signature

Part IV – Comments of the Employee, date and his/her signature

Part V – Reserved for Corporate Services – Human Resources date and signature

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

During the Induction Day for newly recruited staff an HR representative gives information on the Probationary Period. The EDA Staff Assessment procedure is available to all staff on the EDA HR Intranet (**see annex 2**). A note, available on the EDA HR intranet, clarifies the information to be given to data subjects as defined in Art. 11 of the DP Regulation (see annex 3).

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

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

The data subject can exercise his/her right of access to and rectification of personal data regarding him or her, processed in the context of Probationary Period Report at EDA, by contacting the Head of the HR Unit.

At the completion of the appraisal cycle, the Probationer can request a copy of the final version of the form.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

The operation is currently predominantly manual with automated alerts for the HR unit through the HR database.

10/ STORAGE MEDIA OF DATA

The Staff Assessment form is available in the HR Unit. The final report is filed in the Jobholder's personal file.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

EDA Staff Regulations, Art. 38 for Temporary Agents and Art. 106 for Contract Agents. The EDA Staff Regulations is available on the following link: <http://www.eda.europa.eu/docs/default-source/documents/consolidated-eda-staff-regulations-en.pdf>.

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

The Line Manager of the probationer, the Reviewer if applicable, the Deputy Chief Executive, the Chief Executive, the Corporate Services Director, the Head of Human Resources, the Human Resources unit, the Disciplinary Board, the EDA Internal Auditor, the College of Auditors, OLAF, the Civil Service Tribunal.

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

The final probationary period report is placed in the personal file and will remain there for a period of 3 years, except in case of pending legal action in case the jobholder is not confirmed on the post.

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

Data subjects can exercise their rights at any time by contacting the HR Head of Unit. Justified requests for blocking and erasure will be handled within 10 working days.

14/ HISTORICAL, STATISTICAL OR SCIENTIFIC PURPOSES

Not applicable.

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

Not applicable.

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

↑ Article 27.2.(b)

Processing operations intended to evaluate personal aspects relating to the data subject, including his or her ability, efficiency and conduct

EDA-PCN-23-Probationary period

17/ COMMENTS

None.

PLACE AND DATE: BRUSSELS, .25 JUNE 2013

DATA PROTECTION OFFICER: ALAIN-PIERRE LOUIS

INSTITUTION OR BODY: EDA

Annexes:

Annex I: Staff Assessment form.

Annex II: Staff Assessment procedure.

Annex III: Notice on personal data processing in the context of the probationary period report.