

(To be filled out in the EDPS' office)
REGISTER NUMBER: 1080

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NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 28/06/2013

CASE NUMBER: 2013-0772

INSTITUTION: EUROPEAN PARLIAMENT

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 PARLIAMENT
PLATEAU DU KIRCHBERG
B.P. 1601
L-2929 - LUXEMBOURG

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

Directorate General for personnel - Directorate Human resources Development - Professional Training Unit
Person designated as being in charge of the processing: Ms Erika LANDI (HoU)

3/ NAME OF THE PROCESSING

Self-assessment tool "PerformanSe"

4/ PURPOSE OR PURPOSES OF THE PROCESSING

¹ OJ L 8, 12.01.2001.

² **Please attach all necessary backup documents**

The purpose of this self-assessment is to provide heads of unit and of service of the EP with feedback about their managerial tendencies and main motivation levers.

This web-based tool takes the form of a self-assessment and implies the collection of personal data (administrative data and behavioural tendencies in working environment) from the data subject.

In a first phase, the Professional Training Unit is advertising on this training. EP staff who wish to participate make contact with the Unit which provides them with all the necessary information about the training and notably the fact that personal data will be collected and sent to a processor. If they still wish to enrol, the Unit provides their contact details to PerformanSe enabling the company to send to data subjects an invitation containing a link to a password creation page (mandatory step before being able to access the questionnaire).

This assessment may be a pre-session training for middle management or may be taken separately. After completion of the questionnaire (which is entirely voluntary), participants receive 2 feedback reports and may receive an additional feedback session by telephone. The processor will invite the participant to have this session which will be based on an analyse, by the PerformanSe consultant, of the data subjects reports.

No deadline is set for answering or requesting telephone feedback sessions.

As already mentioned, the participation is entirely voluntary and data subjects may freely access their reports on-line with access code whose he/she is the unique owner.

Please kindly note that this self-assessment will be only disclosed to the concerned data subject for his/her personal use (it won't be used or even accessed by any Unit of the EP).

The EP has outsourced this processing operation to a private company established in the EU - Bick CONSORTIUM (processor) - represented by PerformanSe S.A.S based in France.

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

The data subjects are EP staff (heads of unit or of service level) choosing to take part in this training.

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

This processing operation implies the collection of:

- identification data (name, given name, electronic address, password);
- behavioural data (answers from the data subject to questionnaire in areas such as change management, organisational management, team management and personal resources).

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

Information to data subjects will be personally provided together with the practical information concerning the training through a privacy statement.

See Annex: Privacy statement

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

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

Data subjects may submit a demand for access, rectification, blocking, erasure, objection to the data controller who will pass it on to the processor. The latter, with a proof of identity, will provide data subject with a copy of their personal data and information giving them to check their accuracy and to perform any necessary changes.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

The processing is automated.

10/ STORAGE MEDIA OF DATA

Data are held in electronic form only.

Please kindly note that answers to questions are directly translated into numerical data from which two reports are generated and made available to the concerned participants.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

- Article 24bis du statut des fonctionnaires de l'Union européenne ainsi que les articles 11, 81 et 127 du Régime applicable aux autres agents de l'Union européenne (ci-après «le RAA »),
- Règles internes relatives aux actions de perfectionnement professionnel du personnel du parlement européen du 1er janvier 2013

Lawfulness: Article 5(a) of Regulation (EC) n°45/2001 + Article 5(d).

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

The processor will access data within the necessary limitation to perform its tasks as it is involved in the outsourced tasks of organising the training and providing feedback.

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

THE DATA (NUMERICAL DATA + FEEDBACK REPORTS) WILL BE RETAINED FOR 90 DAYS AFTER COMPLETION OF THE QUESTIONNAIRE AND THEN DELETED BY PERFORMANSE S.A.S.

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

BLOCKING:

THE DATA CONTROLLER SHALL TAKE A DECISION WITHIN 15 WORKING DAYS OF RECEIVING A REQUEST FOR DATA TO BE BLOCKED. IF THE REQUEST IS ACCEPTED, IT SHALL BE ACTED UPON WITHIN 30 WORKING DAYS AND THE DATA SUBJECT NOTIFIED THEREOF. SHOULD THE REQUEST FOR BLOCKING BE REJECTED, THE DATA CONTROLLER SHALL HAVE 15 WORKING DAYS WITHIN WHICH TO INFORM THE DATA SUBJECT BY MEANS OF A LETTER STATING THE GROUNDS FOR THE REJECTION.

ERASURE:

THE DATA CONTROLLER SHALL REPLY WITHIN 15 WORKING DAYS OF RECEIVING A REQUEST FOR ERASURE. IF THE REQUEST IS ACCEPTED, IT SHALL BE ACTED UPON IMMEDIATELY. IF THE DATA CONTROLLER DEEMS THE REQUEST UNJUSTIFIED, HE OR SHE SHALL HAVE 15 WORKING DAYS WITHIN WHICH TO INFORM THE DATA SUBJECT BY MEANS OF A LETTER STATING THE GROUNDS FOR THE DECISION.

(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.

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):*

AS FORESEEN IN:

↑ ↑ Article 27.2.(b)

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

17/ COMMENTS

It is worth noting that this processing operation has been notified as well by the Commission (file 2012-0590).

PLACE AND DATE: 28 JUNE 2013

DATA PROTECTION OFFICER: SECONDO SABBIONI

INSTITUTION OR BODY: EUROPEAN PARLIAMENT