

(To be filled out in the EDPS' office)

REGISTER NUMBER: 1162

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NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 20/09/2013

CASE NUMBER: 2013-1034

INSTITUTION: EEAS

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

INFORMATION TO BE GIVEN²

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

Title: Promotion exercise for EEAS officials (art. 45 SR).
PLEASE SEE DESCRIPTION UNDER POINT 17.

4/ PURPOSE OR PURPOSES OF THE PROCESSING

The objective of the processing operation, i.e. the promotion exercise, is to promote officials on the basis of comparative merit.

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

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

The data which will be processed for that purpose are the following:

1. Data of the official concerned

- Name, first name, personal number, assignment, date of seniority in the grade, date of seniority in the Institutions, job title, main job functions, short justification for promotion

- Objectives, career files, job descriptions, former appraisal reports (NB: all available in Sysper2 and, thus, already covered by Sysper2 umbrella declaration)

2. Name, surname and personal number of the assessor and of the appeal assessor

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/27805>)

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

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

Data subjects have access to the same data defined above through an https internet application: SYSPER2.

Data subjects have full access to their data. Modification or other handling of data can be requested to 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

Art. 45 SR

[HR DEC\(2012\) 011](http://webgate.eeas.testa.eu/eeas/eeaszone/?q=node/25919) of 18/10/2012 adopting a promotion procedure to implement Article 45 of the Staff Regulations
<http://webgate.eeas.testa.eu/eeas/eeaszone/?q=node/25919>

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 promotion decision referred to above
- MDR-C4 case-handler(s) in the career section
- AIPN

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 and all recourse possibilities have elapsed. The conservation of such data cannot exceed a period of 5 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
(Please, specify the time limits for every category, if applicable)

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.

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.(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,

Applicable.

The purpose is to evaluate performance, and as a consequence to promote officials

↑ 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

DESCRIPTION of the PROCESS

The procedure includes the following steps:

First week in June:	Launch of the promotion exercise
First half of June:	Assessors' superiors make promotion proposals to the Promotion Board
Between 17/06 and 12/07:	Promotion Board compares merit of officials proposed for promotion
Week of 15 July:	Promotion Board discusses own promotion proposals with personnel Representatives
Week of 22 July:	Promotion Board makes promotion proposals to the Appointing Authority
End of July:	Appointing Authority publishes draft list of officials proposed for promotion
Until mid-September:	Officials not appearing in the draft promotion list can appeal to the JCP
September/October:	JCP makes a recommendation to the Appointing Authority
End of October:	Appointing Authority adopts and publishes list of promoted officials

PLACE AND DATE: BRUSSELS, _____

DATA PROTECTION OFFICER: Ms. CARINE CLAEYS, EEAS DPO _____
(SIGNATURE)

INSTITUTION OR BODY: EUROPEAN EXTERNAL ACTION SERVICE (EEAS)