

(To be filled out in the EDPS' office)

REGISTER NUMBER: 1206

(To be filled out in the EDPS' office)

NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 02/12/2013

CASE NUMBER: 2013-1354

INSTITUTION: EASA

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 Aviation Safety Agency (EASA), Ottoplatz 1 50679 Koln

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

Professional and Organisational Development Department

3/ NAME OF THE PROCESSING

Internal mobility (transfer further to the staff member's request)

4/ PURPOSE OR PURPOSES OF THE PROCESSING

The processing has the purpose to allow for an Internal mobility of staff, in particular further to the staff member's request and after a careful analysis of the staff member's performance and motivation as well as the requirements for the destination post.

¹ OJ L 8, 12.01.2001.

² **Please attach all necessary backup documents**

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

EASA staff: Temporary Agents and Contract Agents

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

Generally the data collected concern recruitment and contract and the data subject career. It has to be noted that the staff member provides the personal and organisational development department with a motivation letter and a CV. Aside from their studies and work experience, staff members are free to provide information and data of their choice (i.e. information concerning hobbies, memberships, tastes, family) for this reason EASA might process different categories of data.

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

In accordance with Article 11 and 12 of Regulation (EC) 45/2001 the data subject is given the following information by means of a data protection information notice:

description of the Internal mobility procedure

Identity of controller

Purpose of processing

Data concerned

Legal basis

Recipients of the data processed

Lawfulness of processing

The data subject's rights

Date when processing starts

Retention period

Contact information

possibilities of recourse

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

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

the procedure to grant rights of the data subject is described in the EASA data protection implementing rules and applies to all the processing in the Agency.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

the processing is entirely manual

10/ STORAGE MEDIA OF DATA

Password-protected mobility register (excel-file) stored in electronic folders restricted to designated staff within the Management & Development Section.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

- Regulation (EC) 216/2008 of the European Parliament and of the Council on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC;
- Staff Regulations of Officials (SR) and the Conditions of Employment of Other Servants of the European Communities (CEOS), in particular article 4, 7 and 29 of the Staff Regulations as well as Article 10 of the CEOS,
- Decision No 2013/142/E of the Executive Director of the Agency of 18/11/2013 Establishing the Policy and Procedure for Internal Mobility

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

the recipients are mainly to be intended as recipients internal to the Agency and these are in particular

Designated staff within the Professional and Organisational Development Department

- Managers in charge of the post in which transfer is requested

Also, if appropriate, access will be given to the Internal Audit Service, the European Ombudsman, the Civil Service Tribunal and the European Data Protection Supervisor;

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

a) Data of internal applicants for job transfers (CV, motivation letter) is processed as data of the moment the request is filed or as of the selection procedure and will be kept for 10 years after closure of the procedure.

b) Data of transferred staff (ED Decision) will be kept for 120 years from the staff member's birth date as it is part of the personnel file.

the data are stored under the staff member's name (restricted access, password protection).

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

as foreseen by the implementing rules on data protection.

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,

Article 27.2.(b)

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

Article 27.2.(c)

Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,

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

Due to the sensitivity of the processing, the responsible staff members within the Professional and Organisational development Department, sign a confidentiality agreement.

PLACE AND DATE: Cologne 02.12.2013

DATA PROTECTION OFFICER: Francesca Pavesi

INSTITUTION OR BODY: European Aviation Safety Agency