

(To be filled out in the EDPS' office)
REGISTER NUMBER: 1247

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NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 05/06/2014

CASE NUMBER: 2014-0603

INSTITUTION: EUSC

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 Union Satellite Centre
Data Protection Officer: Jean Baptist Taupin
Apartado de Correos 511, E-28850 Torrejón de Ardoz, Madrid

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

All SatCen Division

3/ NAME OF THE PROCESSING

PROMOTION PROCEDURE

4/ PURPOSE OR PURPOSES OF THE PROCESSING

Management of staff members, for the purposes of evaluation, promotion and upgrade within SatCen.

Regulation is laid down in article 24 and seq., decision 2009/747/CFSP.

The work of all staff members, apart from the Director, in the previous year, shall be evaluated at the latest by 28 February of each year.

Reports shall comment on the relative proficiency of staff members and shall provide the opportunity to congratulate staff members or, on the contrary, warn them of shortcomings with a

¹ OJ L 8, 12.01.2001.

² **Please attach all necessary backup documents**

view to an improvement in their service.

Reports shall concern the following criteria (article 28):

- (a) diligence and punctuality;
- (b) quality and speed of execution of work;
- (c) initiative;
- (d) propriety and human relations,

The entire evaluation shall be summarised on an annual report form kept in the staff member's personal file.

In case the report indicates underperformance, the Director may request an additional intermediary report after six months

Procedure:

The Director shall designate the Unit Responsible for reporting on personnel wholly or partly subordinate to them.

Each staff member shall be interviewed personally by the staff member responsible for his report. He shall be notified of his annual evaluation, and shall sign the report form thus testifying that he has been informed of it.

The annual report is an administrative act established for internal use. There can be no appeal to any external body against it.

When all reports have been written, the Director shall convene a Promotions Board, chaired by himself, which will include all staff members who have written one or more reports.

The Director shall adopt the rules of procedure of the Promotions Board.

Follow-up action on reports

The Promotions Board may propose to the Director one of the following measures to reward staff members whose performance was recognised as particularly good:

- (a) the award of a financial bonus;
- (b) an exceptional advancement in step;
- (c) a promotion to the higher grade provided that the budgeted post allows such promotion.

An adverse report may justify keeping the staff member at his present step for an additional year.

Two or more successive adverse reports may justify termination or non-renewal of contracts.

If the additional intermediary report does not show any improvement in the performance of the staff member, the Director may take one of the following measures:

- (a) keep the staff member at his present step for an additional period of 12 months;
- (b) terminate the contract of the staff member in accordance with point 3 of Article 7.5 Decision 2009/747/CFSP.

The amount of the financial bonus provided and the other implementing rule shall be decided by the Director at the beginning of each financial year.

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

Reports and promotion of personal/officials/agents dependent and/or contracted by SatCen.

6/ DESCRIPTION OF THE DATA OR CATEGORIES OF DATA

(including, if applicable, special categories of data (Article 10) and/or origin of data)

- Identification data: name and surname.
- Employment details data: profession, grade and step.
- Data from internal evaluation.

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

Pursuant to Articles 11 and 12, Regulation (EC) 45/2001, where the data are obtained directly from data subjects data are processed according to the provisions of the above said Regulation and, where applicable, according to the provisions of COUNCIL DECISION 2009/747/CFSP concerning the Staff regulations of the European Union Satellite Centre.

In all cases, data collection forms shall include the following legal notice: "All personal data collected in this procedure to be handle by Sateen will only be used for its purposes and will in no case be transmitted to any third party, excluding the legal obligations or other exception contained in article 8.a) Regulation 45/2001. Any data provided will be treated in the strictest confidence and with high security. All documents provided to SatCen during this procedure will be kept in SatCen's files and will not be returned to this owner.

The personal information the SatCen requests will be processed in full compliance with the applicable European data protection regulation

The rights of information, Access, correction, blocking and deletion of personal data are guaranteed under these rules, and These rights may be exercised by email to dpo@satcen.europa.eu with a copy of the documentation accrediting the personality."

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

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

Pursuant to Regulation (CE) 45/2001 (Article 13 and seq.), data subjects may exercise before SatCen DPO their rights of access, rectification and blocking using any of the SatCen-accepted means of communication.

Applicants shall be requested to exercise the right of accrediting their identity by attaching supporting identification documents to the written/electronic application; if this right is exercised through an attorney, the relevant powers of attorney granted by the data subject shall be request.

Application of Articles 13 to 18 of Regulation 45/2001

Each data subject will receive an explanatory letter with details. This gives the possibility to check the exactitude of data and ask for rectification, if necessary.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

Processing of the information shall be automated through reports generated in documents/templates; while the standard scoring notation shall be posted on non- automateddocuments in the areas

specially designated for these purposes.

10/ STORAGE MEDIA OF DATA

Regarding hard copy files, their use is prohibited within the restricted area; within the administrative area, where only security-cleared staff can access (guests and this-parties may access this area only when escorted by SatCen staff), this information is within each department, located in the personal file, in locked cabinet at Personnel dependences.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

Article 24 and seq., Decision 2009/747 /CFSP.

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

Accountable ranking Personal Folders
Heads of unit - sectors
Management Board
Joint Consultative Committee and appeal in case of appeal assessor.
In case of transfer of officials in another institution the manager responsible for filing Personal records of the institution concerned.
Court of Auditors and the Court of Justice when necessary.

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

According to the provisions of Article 16 Regulation (EC) 45/2001, data subjects are entitled to have their personal data erased by the controller whenever the processing of personal data is unlawful. Processing of personal data shall be deemed unlawful when the principles of data quality are not met (Article 4) or when processing of data has not a lawful purpose (Article 5); in any case, processing of data outside classified materials is performed in compliance of a legal obligation of the controller, in this case, the purpose for the processing of data is the management promotions of step or grade, lowered of step or grade, or even layoffs.

In any event, the following are the maximum retention periods:

- Staff engagement and appointments: 10 years as from termination of the legal relationship.

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 may be blocked and erased in accordance with rights provided respectively for the articles 15 and 16 of the regulations (EC) No. 45/2001 on request of the data subject.

14/ HISTORICAL, STATISTICAL OR SCIENTIFIC PURPOSES <i>(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)</i>
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 <i>(Please describe)</i>
AS FORESEEN IN: <input type="checkbox"/> Article 27.2.(a) <i>(Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,)</i> <input checked="" type="checkbox"/> Article 27.2.(b) <i>(Processing operations intended to evaluate personal aspects relating to the data subject,)</i> <input type="checkbox"/> Article 27.2.(c) <i>(Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,)</i> <input type="checkbox"/> Article 27.2.(d) <i>(Processing operations for the purpose of excluding individuals from a right, benefit or contract)</i> <input type="checkbox"/> Other (general concept in Article 27.1)

17/ COMMENTS
N/A

PLACE AND DATE: TORREJÓN DE ARDOZ, MADRID, SPAIN

DATA PROTECTION OFFICER: JEAN-BAPTISTE TAUPIN

INSTITUTION OR BODY: EUSC EUROPEAN UNION SATELLITE CENTRE