

*(To be filled out in the EDPS' office)*  
**REGISTER NUMBER: 1327**

*(To be filled out in the EDPS' office)*

**NOTIFICATION FOR PRIOR CHECKING**

**DATE OF SUBMISSION: 11/09/2015**

**CASE NUMBER: 2015-0737**

**INSTITUTION: EC (DG CONNECT)**

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

**INFORMATION TO BE GIVEN<sup>2</sup>**

1/ NAME AND ADDRESS OF THE CONTROLLER

FJALLAND Morten  
DG.Unit : CNECT.R.1  
European Commission

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

Spidergap – [www.spidergap.com](http://www.spidergap.com) – Contractor under contract 30-CE-0729852/00-76.

Main tasks:

- provision of the tool to build and manage the on-line questionnaire and reports

Deloitte Contractor under framework contract EPSO/EUSA/PO/2013/063

Main tasks:

- analysis of group report generated within the exercise
- provision of feedback and coaching sessions
- support to longer-term individual development programme.

Also, in case of subcontracting in cascade (by the sub-contractors to other entities), the EU Commission must

be informed in advance so it may verify if the sub-contractors satisfy the EU Level of data protection adequacy.

---

<sup>1</sup> OJ L 8, 12.01.2001.

<sup>2</sup> **Please attach all necessary backup documents**

### 3/ NAME OF THE PROCESSING

DG CONNECT 360° Feedback. Preparing the management workforce of tomorrow

### 4/ PURPOSE OR PURPOSES OF THE PROCESSING

DG CONNECT supports leadership focused on engagement, accountability, transparency, trust and openness. It recognises that in order to have a great organisation, we need to have good management. It also acknowledges that effectively focused leadership brings a higher level of staff engagement and other tangible benefits. Therefore DG CONNECT continues to build the capacity and invest in the development of current and future managers.

360° feedback developmental process is one of the tools chosen for achieving this goal. It enables participants to identify areas of development relevant for middle management and embark on a development process leading to increased levels of competence and confidence. As it reiterates the value of specific abilities, behaviours or actions, it helps to reinforce organisational values and vision.

Committing to the target of 40% women in management, DG CONNECT's HR Committee of 11 May 2015 decided to give priority to a group of women, with the aim to increase the likelihood of successful application to middle management positions. It is in line with the "Action plan: 40% women in management" and one of the suggestions made during the AD women off-site meeting held on 27/05/2015.

To achieve these objectives a 360° feedback assessment tool –online questionnaire- has been selected. This tool helps participants to identify their strengths and areas of development. In detail, each women, so called 'participant' in the project, receives feedback from different raters: their line manager, their selected peers and their team members.

Around 25 women are concerned by the assessment; however, more managers could benefit from this assessment in the future. Before taking part in the exercise, the participants receive full information about the 360° feedback project and they are invited to choose whether or not to participate. Staff and line managers will be duly informed on the aim and proceedings of the exercise. The women who take part in the exercise select their raters (peers) and inform them about the project's aim and need to fill in a questionnaire on-line. Participants and raters will have about two weeks to answer to the on-line questionnaire. Once the deadline for filling in the questionnaire has expired, the data are aggregated and an individual report is issued for each participant. Data is also highlighted per category (staff; peers; line manager; self). The report will then be discussed with a professional coach.

The individual report is only accessible to DG CONNECT HR Unit (3 tool managers), the participant and to the coach. The participant will benefit from an individual feedback session and additional individual coaching sessions with the coach. The participant has the choice to have a bilateral session with his/her director. It is completely up to the participant to decide if they want to share or not the results of this exercise with their hierarchy.

A group report will be issued with all the information where no identification of the participants nor the raters will be possible.

The EDPS was notified about this processing operations which are similar to the prior checked before DPO-3683.1 SG. This processing operations follows the latest recommendations issued by EDPS in the case 2014-0906. As all the recommendations are properly implemented, this processing operations does not require a prior-checking based on Article 27, Regulation 45/2001. In exchange, the EDPS is informed on this new processing operations.

List of attachments

- 360\_2015\_women\_concept\_note\_v2.doc

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

Participants: DG CONNECT's female Deputy Heads of Unit and Heads of Sectors. 360 Feedback assessment is offered to female Deputy Heads of Unit and Heads of Sector on a Voluntary basis. Potentially, this could cover a population of 25 women.

Raters: colleagues (line managers, team members) and peers suggested by participants and invited to give their feedback.

6/ DESCRIPTION OF THE DATA OR CATEGORIES OF DATA

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

Data of a personal nature allowing the identification of the data subject (name, first name and electronic address, role – line manager, team member, etc) are held by DG CONNECT.

- Information provided by the participant on their own perception of their management and leadership skills in areas such as performance management, change management, issue management and people management; is held anonymous by the contractor.

- Information provided by the raters on their perception of the participant's management and leadership skills in areas such as performance management, change management, issue management and people management; is held anonymous by the contractor. This information is rendered anonymous and amalgamated into a feedback report, except for the information provided by the line managers, considering the fact that normally each participant has only one direct hierarchical superior. DG CONNECT HR unit has access to the report.

- Feedback reports (both individual and group reports) contain the following categories of aggregated information: strengths and areas for development as well as recommendation on training activities matching development needs.

<https://www.spidergap.com/downloads/Spidergap-Sample-360-degree-feedback-report.pdf>

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

All data are processed solely for the purposes of providing feedback. Spidergap and Deloitte maintain the strictest standards to safeguard the confidentiality of data.

Nobody within the Institutions, offices or agencies (apart from the person listed under point 16) will have access to any data contained in the individual feedback reports. Participants are made aware of the above.

The data processing is carried out by Spidergap in an automated way. The current contractors (processors) are set out under point 3.

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

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

All persons participating in this activity will receive an information message to explain the processing and the treatment of data. This information message contains a link to the privacy statement.

Mandatory Information

#### List of attachments

- Call for candidates\_v2.docx
- 360 Privacy Statement\_v1.doc
- FAQs\_final.docx

The procedure to grant rights is explained in the privacy statement.

#### 9/ AUTOMATED / MANUAL PROCESSING OPERATION

DG CONNECT HR unit will build the questionnaire online through the tool provided by Spidergap. DG CONNECT HR unit will produce lists of participants and raters, i.e. participant, line managers and team members. Participants will produce the lists of peers. DG CONNECT HR unit will input the lists of raters in the system.

DG CONNECT HR unit will send the invitations to fill in the questionnaire and be able to trace who has replied to the questionnaire in order to send reminders.

DG CONNECT HR unit will issue the reports, which will be produced automatically through the Spidergap tool (the recipients of these reports are indicated under point 16).

No manual processing of data is foreseen.

#### 10/ STORAGE MEDIA OF DATA

Data for the 360° feedback tool are stored on computing facilities provided by Rackspace UK (to Spidergap). The applications and data are contained in the data centers in the UK. The data centers are backed by hardware firewalls, and intrusion protection systems. Software security best practices are followed, and Spidergap makes every effort to continue to update with software patches as necessary. The application does not accept incoming files and no sensitive data are transmitted. Spidergap does not disclose any client data to any other parties. It maintains the strictest of standards to safeguard the confidentiality of our data. Strong password policies are enforced for system administrators. User application passwords have minimum complexity requirements. Passwords are encrypted in the database using SHA512. User access controls offer a layered approach to Spidergap data security and the system has been developed with session time-outs. Spidergap maintains the strictest of standards to safeguard the confidentiality of its data.

#### 11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

##### Article 24a of the Staff Regulations

The Commission decision of 7 May 2002 on Staff Training states:

- in Article 1 that learning is both a right and a duty for all persons working in the Commission, regardless of their assigned functions or their place of employment.
- in Article 2 that staff training in the Commission shall have as fundamental objective to expand and improve individuals' competencies so that each staff member can contribute optimally to achievement of the Institution's goals.
- in Article 7 that the Directors General and Heads of Service shall, within their areas of responsibilities, (e) establish a strategic framework within the DG and (f) put mechanisms in place to manage training at DG level in line with central instructions and recommendations.

5 com\_training\_decision\_7may2002\_en.pdf

This exercise has been announced in DG CONNECT's Learning & Development Framework 2015. It has been endorsed by DG CONNECT's HR Committee on 11 May 2015.

To organize this exercise, DG CONNECT contracts directly Spidergap ((contract number 30-CE-0729852/00-76) and uses a framework service contract (framework contract number EPSO/EUSA/PO/2013/063) for the services of Deloitte.

**Lawfulness:**

Art. 5 (d) of Regulation (EC) No 45/2001, the data subjects participating in the development programme (both participants and raters) give their consent to the processing of personal data. The consent given within the exercise covers the whole process. This consent can be revoked at any time, also while the exercise is underway. When this happens, the exercise as regards this specific participant has to be stopped and any personal data collected will be deleted.

Article 27 of Regulation 45/2001 will apply.

List of attachments

- LDF 2015\_FINAL (2).pdf

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

Individual and group reports will be available to the tool managers (3 people in DG CONNECT HR Unit). The individual reports will be managed in a confidential manner and only the assessed participants (women) and the chosen coach will have access to the individual reports. A group report will also be generated by DG CONNECT HR unit, who will have access only to aggregated information about the compiled group results (such as most voted and less voted competencies, number of participants), without any possibility to track or identify individual answers. In case of limited contributions to the group report thus allowing, with reasonable effort, to identify the participant or the colleagues, the group report will not be produced.

The group report (containing aggregated information without any possibility to track or identify individual answers) will be available to DG CONNECT HR unit and to the CONNECT HR Committee who are the Director General, Deputy Director Generals, Resource Director and Head of HR.

When requested by the participant, the external debrief from the contractor will receive his/her reports in order to provide individual feedback to the participant.

DG CONNECT HR Unit will input directly the lists of raters in the system (names and addresses not available to the contractor). DG CONNECT HR unit will send the invitations to invite the participants and raters to fill in the questionnaire and be able to trace who has replied to the questionnaire in order to send reminders.

**13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA**

The data collected for the launch and completion of the 360° feedback questionnaire are automatically deleted by the contractor Spidergap after 3 months. The participant and her coach have obtained the individual 360° feedback report. The owner of the individual report is the concerned participant and DG CONNECT HR (R1) unit will not store a copy of it. Once the participant has obtained the individual 360° report, the 360° report will be deleted automatically by the external provider Spidergap after at most 3 months. The group report, containing aggregated information without any possibility to track or identify individual answers, will be kept by DG CONNECT HR unit (CONNECT R1).

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)*

For all justified legitimate requests received by the controller, a response will be given within 15 working days from the day the responsible service receives the correspondence, which may however send a justified holding reply, in the circumstances set out in point 4 on the Code of Good Administrative Conduct.

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.(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

PLACE AND DATE: BRUSSELS, 11 SEPTEMBER 2015

DATA PROTECTION OFFICER: PHILIPPE RENAUDIÈRE

INSTITUTION OR BODY: EUROPEAN COMMISSION