

(To be filled out in the EDPS' office)
REGISTER NUMBER: 1375

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NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 02/05/2016

CASE NUMBER: 2016-0417

INSTITUTION: CPVO/OCVV

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

INFORMATION TO BE GIVEN²

1/ NAME AND ADDRESS OF THE CONTROLLER

Mr. James MORAN
CPVO/OCVV
3 Boulevard Foch
CS 10121
49101 ANGERS CEDEX 2
FRANCE

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

Administrative Unit

3/ NAME OF THE PROCESSING

Management and Production of IT Reports

4/ PURPOSE OR PURPOSES OF THE PROCESSING

¹ OJ L 8, 12.01.2001.

² **Please attach all necessary backup documents**

To allow easy analysis of raw data available in the PVR central database of the CPVO and to provide useful operational information to both the staff members and the hierarchy, facilitating the decision-making and evaluation processes in the Office.

Description of the processing:

Operational and productivity reports are produced by a limited number of authorised staff members publicly identified by the Management Team of the Office (The “Tableau Desktop Users”), for management purposes and reporting activity (11 in total).

The reports are published by the authorised users themselves after validation by the interested parties (staff member(s) concerned by the report, the staff member(s) at the origin of data, the hierarchy and the IT team). Reports validated may be published electronically by the Tableau Desktop Users and, for hard support publication, to the CPVO staff in charge.

Where felt necessary for management purposes by the hierarchy, productivity reports and individual performance indicators may be produced by authorised staff members. In such case, a specific procedure applies whereby:

- i. The purposes of the productivity reports and individual performance indicators should have been clearly identified prior to the production of the reports and agreed upon by the Management Team of the Office.
- ii. The Staff member(s) concerned by such report(s) or indicator(s) is/are allowed commenting the report(s) produced.
- iii. Report(s) on output and efficiency shall only be used in a given annual assessment of a staff member for a given year if referred to in the objectives defined for that staff member in a previous annual staff evaluation.
- iv. Such report(s) with individual staff information are made available to the hierarchy and, in identified case, only more widely distributed upon agreement of the all staff member(s) concerned after giving him/them the possibility to provide comments.

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

The data subjects are the following:

All staff members of the CPVO, including seconded national experts, trainees and interim staff

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

- The common data collected are:

Data which are used to produce reports are raw data taken from the central CPVO database PVR.

- Performance indicators identified in Tableau generally reflect workflow events capture, such as payment of invoices, processing of applications, but can also be used to determine work volume (total number of invoices processed, total number of applications or titles in force managed):

Data kept is the initials of the staff member(s) working on a specific file, the date of the workflow event, the nature of the workflow event.. The level of detail as regard timestamps is low and reports do not go beyond the day – the purpose of the reports are overall performance of the Office (number of days to pay invoices) rather than individual performance which is only something that can at times be deduced on the basis of overall reports. Examples of reports include

- Processing of input and payment of invoices (receipt date, input date, approval date, payment date)
- Total commitments open (RAL) by staff member (but the staff member only sees their own information) – necessary to carry out their work

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

Information to data subjects is provided in the Specific Privacy Statement available on the CPVO's SharePoint. There is also a CPVO Internal Memo to the Attention of reporting software users which can also provide some useful information to data subjects.

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

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

CPVO Internal Procedure defining accessing, correcting, erasing and blocking of personal data.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

The processing operation is automated. The raw data stays (unusable) in the database. The query of the data is managed through the Tableau report and if that report is deleted, then the query no longer exists.

10/ STORAGE MEDIA OF DATA (data of interest are: the raw data and the reports/queries)

Data can be stored in Tableau reporting Software where for performance reasons, the direct access to the database is not ideal. The data stored is defined by the SQL query in Tableau.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

- CPVO Procedure on Management and production of IT reports;
- Article 5(a) of Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by Community institutions and bodies and on the free movement of such data;
- Articles 43 and 100 of the Staff Regulations;
- Articles 15(2) and 87 of the Conditions of Employment of Other Servants of the European Union;
- Commission Decision on general implementing provisions for Article 43 of the Staff Regulations.

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

- For operational and productivity reports: the hierarchy and authorised users
- For reports where individual staff information can be identified: the hierarchy and, in identified case, more widely distributed only upon agreement of the all staff member(s) concerned.

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

- Operational and productivity reports using global data related to the core business of the Office can be kept as long as necessary for historic archiving or management purposes.
- Pursuant article 4(1) (b) of the Regulation No 45/2001, reports allowing individual performance indicators will be destroyed after a period of a year from the date of the end of appraisal process.

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)

- When the data subject contests the accuracy of his/her personal data, the controller shall immediately block the data for the period necessary for verifying the accuracy and completeness of the data.
- When receiving a request for blocking/erasure on other grounds, the request will be dealt at the latest within 15 working days.

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.

PLACE AND DATE: ANGERS, XX.04.2016

DATA PROTECTION OFFICER: GERHARD SCHUON

INSTITUTION OR BODY: CPVO