

**REGISTER NUMBER: 1382**

**NOTIFICATION FOR PRIOR CHECKING**

Date of submission: 14/06/2016

Case number: 2016-0538

Institution: ERA

Legal basis: article 27-5 of the regulation CE 45/2001(1)

*(1) OJ L 8, 12.01.2001*

**INFORMATION TO BE GIVEN(2)**

*(2) Please attach all necessary backup documents*

1/ Name and adress of the controller

European Railway Agency, Mr. Salvatore Ricotta, *ad interim* Head of Unit Resources and Support, 120 Rue Marc Lefrancq, 59300 Valenciennes, France

2/ Organisational parts of the institution or body entrusted with the processing of personal data

Resources and Support Unit

3/ Name of the processing

Assessment of ERA staff skills/competencies identified for the new tasks/roles under the 4RP following an internal call for interest on a voluntary basis

4/ Purpose or purposes of the processing

The overall purpose of data collection and processing is to facilitate the identification, assessment and validation of the skills/competencies of ERA staff against the skill/competency requirements identified by the work of the task force for the preparation and implementation of the 4th Railway Package (4RP).

The lack of such information may result in underperformance of the Agency in delivering the new tasks as foreseen by the revised Agency Regulation, sub-optimal use of staff competencies and abilities, reduced opportunities for career development as well as a mismatch between staff aspirations and tasks assigned to them, and consequently in reduced staff motivation.

The voluntary assessment of staff skills/competencies enables the HR Sector to advice the management of ERA on the identification and deployment of human resources with specific profiles in reply to specific staff

needs. In addition, it improves the quality of advice and assistance that can be given to staff when they wish to take decisions about their careers, about their development/training paths on the basis of more accurate information on individual profiles.

Answering the “call for interest” is voluntary and no member of staff will face any adverse consequence for not answering it. Furthermore, it should be noted that information provided during the assessment will not be used to measure staff performance or productivity. It will not be used for evaluation purposes in the context of the Appraisal and Promotion exercise.

This process has no direct link with the renewal of contract procedure. Indeed the Agency shall still be entrusted as of June 2019 with its more “traditional” tasks (which will require existing resources/staff with the existing already assessed competencies) in addition with the new 4RP tasks.

The assessment and mapping of skills/competencies (for the 3 new tasks under the scope of the 4RP taskforce, i.e. SSC, VA and ERTMS trackside) will be done on a voluntary basis and no member of staff will face any adverse consequence for not answering the internal call for interest.

The process includes different steps:

1. General information is given to the staff by the 4RP task force, the Head of Unit (HoU)/Head of Sector (HoS) and HR. Meetings are organized to explain both the “general picture” and the process;
2. There will be a first “call for interest for the new roles” once the roles and skill/competency requirements are finalized. It will not be a “one shot”, nor an “only chance” call as some similar calls will be launched regularly in order to complete the team;
3. HR (with the full support of the taskforce) issues “calls for interest for the new roles” explaining the new roles and related skill/competency requirements. The process for this call is similar to the one for internal mobility but not necessarily resulting into re-deployment or re-assignment of a job holder, as most of the roles are part-time roles;
4. Staff interested to perform in the future one or more of the new role(s) are asked to complete, on a voluntary basis, a standard electronic application form, using the “my e-hr” platform, and to assess themselves against the skill/competency requirements for the role(s) they are interested in;
5. Applications are further reviewed and assessed by an Assessment Panel (AP) who invites those staff members who are preselected as they meet the requirements for an interview.
6. After the interviews, the AP decides whether the staff member is shortlisted for one or several new role(s) or not, and suggests areas of further development/training. The HoU/HoS member of the AP provides feedback to each staff member in order for the outcome to be fully transparent;
7. There are no limitations to the number of shortlisted staff. The only conditions are to answer the call for interest and to meet the skill/competency requirements;
8. Staff members for whom some areas of development/training have been identified shall further discuss with their reporting officer what type of development/training format best meets the needs;
9. The Executive Director issues a decision with the names of all the staff members who are shortlisted with the role(s) for which they are shortlisted;

## 5/ Description of the category or categories of data subjects

ERA Temporary Agents / 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)

1. Data to identify and contact the "applicant" (staff member who declares to be interested in one (or some) of the new role(s): family name, given name, job title, Unit;
2. Data relevant to demonstrate, in the framework of the "call for interest" procedure, that the applicant fulfils the skill/competency requirements advertised in the role description: professional experience, studies, languages, technical skills/knowledge, areas of expertise, IT skills, non-technical (soft) skills, motivation letter. Furthermore, the applicant may indicate any individual situation regarding skills/competencies and any other information they deem appropriate to support their application.

## 7/ Information to be given to data subjects

In the "call for interest", all data subjects are informed that the self-assessment of their skills/competencies will be in compliance with Regulation (EC) 45/2001 on the protection of individuals with regards the processing of personal data and notified to the Data Protection Officer of the Commission.

Data subjects are informed about the Data Controller, data processing, its purpose, lawfulness as well as their rights through dedicated information sessions, as well as through the engagement and mobility web page, where there is a relevant "privacy statement". In addition the data subjects are informed on how to use the e-HR system and on how to introduce, correct and verify information. Every ERA staff member can access, consult and introduce his/her own data.

All members of the ERA staff have secured access to their own personal "my e-HR" platform in order to check, consult, modify and delete the data they provided at any moment.

## 8/ Procedures to grant rights of data subjects (*rights of access, to rectify, to block, to erase, to object*)

The data subject may exercise its rights of access, verification and rectification of its data by contacting the person responsible for handling the whole processing operation, who is the Mr. Salvatore Ricotta, *ad interim* Head of Unit Resources and Support.

In case the data subject concerned has any further questions and/or concerns, he/she is given notice, through the privacy statement, of the following persons that may be contacted in connection with personal data protection issues:

- the ERA's Data Protection Officer (DPO): [dataprotectionofficer@era.europa.eu](mailto:dataprotectionofficer@era.europa.eu).
- In the event of a dispute, complaints should be addressed to the European Data Protection Supervisor: [edps@edps.europa.eu](mailto:edps@edps.europa.eu).

## 9/ Automated / Manual processing operation

The data are inserted electronically by the applicants using the "my e-HR" platform.

The processing is fully automated and all information related to the call for interest process is stored in the e-HR system.

10/ Storage media of data

e-HR data are stored on a dedicated ERA server.

11/ Legal basis and lawfulness of the processing operation

- Regulation (EC) No. 45/2001, Article 5 (a)
- REGULATION (EU) 2016/796 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 May 2016 on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004

The processing is necessary for compliance with the legal obligations set in the revised regulation. Indeed it is of utmost importance that the Agency would have the necessary resources to perform its new tasks under the 4RP and be ready by June 2019.

12/ The recipients or categories of recipient to whom the data might be disclosed

The recipients of the data are: the Contracting Authority, the designated HR staff dealing with "calls for interest" and any of the supervisory instances of ERA, upon request (i.e. European Court of auditors, Internal audit service, EDPS, the Ombudsman, the Civil Service Tribunal, OLAF).

During the assessment phase the data provided by the applicants (linked to the call for interests, and NOT all the information available in "my e-HR) are also accessible temporarily by the members of the Assessment Panels.

13/ retention policy of (categories of) personal data

Data related to this process will be available in "my e-HR" for as long as they work at ERA. However, once the data subject leaves ERA, all data will systematically be deleted by the system administrator

13a/ time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject)

*(Please, specify the time limits for every category, if applicable)*

Staff can access, modify and delete their data they provided at any moment. In case of need the system administrator will provide assistance.

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.*

Applications are processed for statistical purposes in an anonymous manner.

15/ Proposed transfers of data to third countries or international organizations

N/A

16/ The processing operation presents specific risk which justifies prior checking (*please describe*):

The processing operation is intended to evaluate personal aspects relating to the data subject, such as his ability and efficiency, so it falls into the obligation of prior checking according to Article 27.2.(b) of Regulation (EC) No. 45/2001.

17/ Comments

N/A

PLACE AND DATE: Valenciennes, 06/06/2016

DATA PROTECTION OFFICER: Zografia PYLORIDOU

INSTITUTION OR BODY: European Railway Agency