

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

**NOTIFICATION FOR PRIOR CHECKING**

**DATE OF SUBMISSION: 29/08/2017**

**CASE NUMBER: 2017-0769**

**INSTITUTION: EIOPA**

**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

FAUSTO PARENTE  
EIOPA  
WESTHAFENPLATZ 1  
60327 FRANKFURT AM MAIN  
GERMANY

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

HR Unit  
Management team

3/ NAME OF THE PROCESSING

Contract Renewal procedure

4/ PURPOSE OR PURPOSES OF THE PROCESSING

This procedure establishes EIOPA's approach to employment contract management in order to ensure a transparent, consistent and fair treatment of all EIOPA staff members when considering whether or not to offer an eventual renewal of their employment contract. It provides transparency in the management of the procedure and safeguards a consistent decision-making process by the authority authorised to conclude contracts of employment (AACC).

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

---

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

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

The present procedure is applicable to staff covered by the Conditions of Employment of Other Servants:

- Temporary agents engaged pursuant Article 2(f) CEOS; and
- Contract agents engaged pursuant Article 3(a) CEOS.

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

Personal and employment details:

Name

Personal number

Unit/Team

Type of Contract (TA/CA)

Function group and grade

Contract history

Next contract duration

1<sup>st</sup> or 2<sup>nd</sup> Renewal of contract

Notice period for decision on contract renewal

Appraisal reports

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

All the information listed in Articles 11 and 12 of Regulation (EC) 45/2001 is provided to the data subjects in the relevant Privacy Statement, which will be published on the “InCiderNet”, EIOPA’s intranet, under the HR section.

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

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

EIOPA’s Implementing Rules on Data Protection, which are published on EIOPA’s website, lay down the rules and procedures pursuant to which data subjects may exercise their rights of access, rectification, erasure and objection with regards to the processing of any kind of personal data.

In addition to that, the relevant Privacy Statement, which explains those rights in detail, will also be published on the “InCiderNet”, under the HR section.

Data subjects may address any request regarding the exercise of their rights to EIOPA’s Data Controller (Executive Director), the DPO, as well as the Human Resources Unit, by sending an email to the respective functional mailboxes. A reply is given to such requests normally within 15 working days.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

Automated procession operation: The signed Contract Renewal Report form is kept both in paper p-files and in electronic form in the I Drive restricted HR area with limited access rights, as well as H drive of the respective individual line manager.

Manual procession operation: There is a Contract Renewal Report form to be filled by the different parties involved; including the decision of the authority authorised to conclude contracts.

10/ STORAGE MEDIA OF DATA  
EIOPA network I drive restricted HR area  
Hardcopy file

Electronic and hard copy documents relating to the contract renewal process are stored: a) on the HR folder of the I Drive with restricted access, as well as other folders of the H Drive of individual managers with restricted access to each individual manager; b) in a locked cupboard of the Human Resources Unit.

Access to these documents is granted to limited persons defined on a need to know basis.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION  
Articles 8, 47, 85 and 119 of the Conditions of Employment of Other Servants.

12/ THE RECIPIENTS OR CATEGORIES OF RECIPIENT TO WHOM THE DATA MIGHT BE DISCLOSED  
A. Managers of data subjects: i.e. Executive Director, Heads of Units and Heads of Departments;  
B. Designated EIOPA staff members: HR Unit, Legal Team;  
C. External lawyers, OLAF, European Ombudsman and EU Courts.

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA  
The contract renewal report is kept for five years after the end of the particular evaluation procedure.

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)

No specific time limit.

The rights of blocking and erasure can be exercised at any point in time.

EIOPA's DPO will react to such requests within the time-limit provided in EIOPA's Data Protection Implementing Rules (i.e. 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.*

Anonymised personal data will be kept for statistical purposes, in terms of length of the contract relative to renewal or not after three years or for renewal for an indefinite period.

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:

X [Article 27.2.\(b\)](#)

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

17/ COMMENTS

Process steps include the Preparatory work done by HR Unit ( [List of upcoming renewals sent to EIOPA Management team](#)); [Recommendation done by HoD/HoU, after dialogue with jobholder](#); [Jobholder's opportunity to comment on recommendation](#); [Decision taken by AACC, the Executive Director](#); [Outcome of decision communicated to jobholder](#); [Decision filed in jobholder's p-file](#).

PLACE AND DATE: 28 AUGUST 2018

DATA PROTECTION OFFICER: CATHERINE COUCKE