

**REGISTER NUMBER: 11**

**NOTIFICATION FOR PRIOR CHECKING**

**DATE OF SUBMISSION: 7 FEBRUARY 2005**

**CASE NUMBER: 2004-67**

**NOTIFICATION OF: EUROPEAN INVESTMENT BANK**

**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

EUROPEAN INVESTMENT BANK  
100, BD KONRAD ADENAUER  
L – 2950 LUXEMBOURG

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

HUMAN RESOURCES DEPARTMENT – DEVELOPMENT DIVISION

3/ NAME OF THE PROCESSING

Dignity at Work policy

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

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

4/ PURPOSE OR PURPOSES OF THE PROCESSING

The effective implementation of the policy on Dignity at Work and, in particular, its formal procedure.

The Human Resources Department collects and stores data and discloses relevant data to the data subject and authorised staff only. Any personal data compiled by the Investigation Panel which needs to be retained is submitted to the Human Resources Department for filing.

Individual Confidential Counsellors, who counsel staff members informally on issues regarding Dignity at Work, are not allowed to keep structured filing of personal data.

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

The Dignity at Work policy applies to all staff of the European Investment Bank and applies, by extension and insofar as their corresponding contract so provides, to third parties whose services are provided within the premises of the EIB.

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

Personal data on the data subject, which may include special categories of art. 10 of Regulation 45/2001, processed lawfully according to article 5 of this regulation. The Investigation Panel may use personal data for the sole purpose of establishing the facts leading to a recommendation to the President of the EIB.

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

All staff have access to the full policy and procedures on paper and on the EIB's Intranet. Staff are well aware of their rights.

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

Individual Confidential Counsellors, who counsel staff members informally on issues regarding Dignity at Work, are required to sign on appointment a confidentiality agreement (annexed). Data subjects reporting a complaint, taking part in investigations, or being in any way connected to a case of harassment, are guaranteed full confidentiality.

Data subjects may consult their own personal file, held in the Human Resources Department. Staff are aware that making a complaint is very serious. Staff making false or malicious complaints may face disciplinary action.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

All processing is manual.

10/ LEGAL BASIS OF THE PROCESSING OPERATION

Staff Regulations, Code of Conduct, Management Committee decision of 18 November 2003 approving the Dignity at Work policy.

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

Members of the Investigation Panel appointed by the President of the EIB, authorised staff of the Human Resources Department, the President and the parties involved receive specific notes as set out in the investigation procedure.

12/ GENERAL INDICATION OF THE TIME LIMITS

FOR BLOCKING: -----

AND/OR

FOR ERASING: -----

OF THE DIFFERENT CATEGORIES OF DATA (*Please, specify the time limits for every category, if applicable*)

All documents pertaining to an Investigation Procedure up to and including the President's decision will be kept in a special file with strictly limited access, in the HR Department for 5 years. Any sanction resulting from the investigation procedure will be kept (according to the time specified in the decision) in the staff member's personal file.

13/ 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.*

14/ PROPOSED TRANSFERS OF DATA TO THIRD COUNTRIES OR INTERNATIONAL ORGANISATIONS

May only authorised if required by order of a court of law.

15/ THE PROCESSING OPERATION PRESENTS SPECIFIC RISK WHICH JUSTIFIES PRIOR CHECKING (*Please describe*):

The data collected may concern particular aspects, which may be sensitive, of the personality of staff members, whether authors or victims of the events.

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,*

16/ COMMENTS

PLACE AND DATE: LUXEMBOURG, 4 FEBRUARY 2005

DATA PROTECTION OFFICER: JEAN-PHILIPPE MINNAERT

INSTITUTION OR BODY: EUROPEAN INVESTMENT BANK