

REGISTER NUMBER: 641

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 18/11/2010

Case number: 2010-936

Institution: ENISA

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 address of the controller

Udo Helmbrecht
P.O. BOX 1309
71001 HERAKLION
GREECE

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

Administration

3/ Name of the processing

Annual appraisal of temporary agents and contract agents.

4/ Purpose or purposes of the processing

The purpose of processing concerns the appraisal of the annual performance of TAs and CAs, as well as the laying out of their career development plan.

5/ Description of the category or categories of data subjects

Temporary and contract agents of ENISA

6/ Description of the data or categories of data (including, if applicable, special categories of data (article 10) and/or origin of data)

name, grade, features of performance, training needs

7/ Information to be given to data subjects

Rights are determined as per Regulation (EC) 45/2001. In general full access is possible.

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

Right to have access: Contact ENISA service in charge of the processing

Right to rectify: Contact ENISA service in charge of the processing

Right to block: is conditionally granted as it might affect pension rights. Contact ENISA service in charge of the processing.

Right to erase: conditionally granted as it might affect pension rights. Contact ENISA service in charge of the processing

Right to object: conditionally granted as it might affect pension rights. Contact ENISA service in charge of the processing

9/ Automated / Manual processing operation

Automated and manual processing are combined and they depend on the stage of the request.

Processing of data is automated at the application level; an eAppraisal tool is used to facilitate the appraisal process. Limited paper records are also kept.

10/ Storage media of data

Paper archives. Data files on storage area network that may be retained throughout the designated period.

11/ Legal basis and lawfulness of the processing operation

Article 15 of the Conditions of Employment of Other Servants (CEOS),

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

Human resources staff in charge of appraisal procedures, Management Team Members, Head of the Administration, Executive Director, members of the Joint Evaluation Committee.

13/ retention policy of (categories of) personal data

35 years IOT ensure consistent records concerning exercising rights such as pension rights.

13 a/ 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)

It is possible to request and obtain the erasure and blocking of personal data. The service in charge of processing (HR) needs guidance with regard to the time limits applied for doing so, as there is a risk of destroying data that is essential to support rights such as pension rights.

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,

N/A

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*):

Attribution of rights might be affected by means of processing made.

Article 27.2.(b)

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

17/ Comments

Please note the controller's question in point 13 a) regarding time-limit for blocking and erasure of the different categories of data. Please also refer to the attached documentation

PLACE AND DATE: HERAKLION 18/11/2010

DATA PROTECTION OFFICER: Emmanuel MAURAGE

INSTITUTION OR BODY: European Network Information Security Agency