

REGISTER NUMBER: 10

NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 06 JANUARY 2005

CASE NUMBER: 2004-206

NOTIFICATION OF: EUROPEAN PARLIAMENT

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 Barrington WILSON, Director General for Personnel
KAD 2G008, European Parliament, Luxembourg

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

Administrative Status Unit, DG Personnel

3/ NAME OF THE PROCESSING

Staff reports and promotions system, including "RAPNOT"

¹ OJ L 8, 12.01.2001.

² **Please attach all necessary backup documents**

4/ PURPOSE OR PURPOSES OF THE PROCESSING

Appraisal of staff, with implications for promotion system.

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

Officials and Temporary Staff of the EP

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

Data include:

- evaluation of ability, efficiency and conduct
- career information
- leave and absences data
- any training undertaken or recommended

Any and all aspects of performance can be covered in reports. The input is provided partly by the person being assessed; partly by an immediate superior, a first assessor and a final assessor: more than one of these three functions may be assumed by a single person.

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

There is a large quantity of information on Intranet (about 140 pages):
http://www.europarl.ep.ec/inside/staff/career/default_en.htm?menu2

Staff reports, Promotions

- Rapport du Secrétaire Général sur l'amélioration du système de notation et de promotion du Parlement européen (Adopté para le Bureau le 01/09/2003)
- Décision du Bureau du 3 mai 2004 relative à la politique de promotion et de programmation des carrières
- Instructions concerning the procedure for awarding promotion points, 13.06.2002
- GIP - Staff reports (pdf; 96 Kb)
- Guide to staff reports 2000 (pdf; 125 Kb)
- Manuel d'utilisation de l'application RAPNOT
- Calendrier des étapes de la procédure de notation / promotion

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

The contradictory nature of proceedings and right of appeal are guaranteed by Article 43 SR.

A joint Reports Committee exists in accordance with Article 9(1) (a) SR and Articles 10 and 11 of Annex II SR.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

Manual with automated elements.

10/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

Staff Regulations: Article 43 (see also Articles 26, 34) and Annex II, 4 and Annex IX.

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

Reports are available to superiors, prospective superiors if job applied for, Reports Committee, Internal Organisation Unit.

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*)

None envisaged.

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.

It could be considered that article 10(I) of Annex IX SR implies a duty on the part of the appointing authority to maintain records on the conduct of an official throughout the course of his or her career.

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

None

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

The report is on the "ability, efficiency and conduct in the service of each official" (Art 43 SR) - cf Art. 27(2)(b) 45/2001 "ability, efficiency and conduct".

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,

Article 27.2.(c)

Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,

Article 27.2.(d)

Processing operations for the purpose of excluding individuals from a right, benefit or contract,

Other (general concept in Article 27.1)

16/ COMMENTS

PLACE AND DATE: LUXEMBOURG, 5 JANUARY 2005

DATA PROTECTION OFFICER: JONATHAN STEELE

Institution or body: European Parliament