

REGISTER NUMBER: 684

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 24/05/2011

Case number: 2011-0511

Institution: European Commission

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

2) Name and First Name of the Controller:FRACCHIA-FERNANDEZ Alicia

3) Title:Head of Unit

4) Directorate, Unit or Service to which the Controller is attached:R.1

5) Directorate General to which the Controller is attached:DGT

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

26) External Company or Directorate General to which the Processor is attached:

25) External Company or Directorate, Unit or Service to which the Processor is attached:

3/ Name of the processing

Feedback for further development of DGT managers

4/ Purpose or purposes of the processing

The purpose of the processing is to allow participants to obtain, from their staff and peers, anonymous feedback via a questionnaire in the form of a feedback report on their management competences with the aim of helping them to improve their management skills. This type of tool is commonly used internationally by training providers in courses on management.

The data will not be used in any form of evaluation (appraisal) process of any of the persons involved and will not be communicated to hierarchy

5/ Description of the category or categories of data subjects

14) Data Subject(s) concerned:

Management staff of DGT who volunteer to receive feedback aiming at professional development.

16) Category(ies) of Data Subjects:

See response under point 14.

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

17) Data field(s) of Data Subjects:

Attention: Please indicate and describe in the answer to this question also data fields which fall under article 10

Data of a personal nature allowing the identification of the data subject (name, given name, electronic address).

18) Category(ies) of data fields of Data Subjects:

Attention: Please indicate and describe in the answer to this question also categories of data fields which fall under article 10

Data of a personal nature allowing the identification of the staff member concerned (name, given name, electronic address);

? Information provided by the participant on their own perception of their competences in the in the areas of self-management; relationship management (people and interpersonal management), work management and communication and information management.

? Information provided by colleagues on their perception of the participant's competences in the areas of self-management; relationship management (people and interpersonal management), work management and communication and information management.

This information is rendered anonymous and amalgamated into a draft feedback report

7/ Information to be given to data subjects

15a) Which kind of communication(s) have you foreseen to inform the Data Subjects as described in articles 11 - 12 under 'Information to be given to the Data Subject'

The privacy statement in annex 2 is sent by mail to participants and available on DGTnet

All persons participating in this project will receive an information note to explain the processing and the treatment of data. Information will also be available on DGTnet (DGT intranet). All persons participating in this activity will receive an information note to explain the processing and the treatment of data. They will be reminded of the following:

- that procedure is entirely optional,
- that all data are processed solely for the purposes of providing feedback,
- the arrangements for data storage,
- that all data are processed by the Human Resources Unit and that hierarchy or others within the Institutions have no access to any data.
- that data will be kept for a maximum period of 6 months, as the process includes different steps: individual reporting by HR Unit to each volunteer manager , development plan and choice/implementation of coaching sessions if requested.

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

15b) Which procedure(s) did you put in place to enable Data Subjects to exert their rights: access, verify, correct, etc., their Personal Data as described in articles 13 - 19 under 'Rights of the Data Subject' :

Data subjects concerned may send a request to indicate any changes to their personal data.

Following a written request, data subjects concerned may obtain via SECEM (encrypted mail) a written copy of all the information which they provided in the form of feedback to allow them to check that the information they supplied was accurately recorded.

Following a written request, staff and peers providing feedback may obtain via SECEM a written copy of all the information which they provided in the form of feedback to allow them to check that the information they supplied was accurately recorded.

9/ Automated / Manual processing operation

7) Description of Processing:

Attention: Please describe in the answer to this question if you process personal data falling under article 27 "Prior-Checking (by the EDPS - European Data Protection Supervisor)"

The activity concerns the use of a questionnaire designed for giving feedback to managers on their management competencies. This tool takes the form of a self-assessment of their competences by colleagues and by staff, selected randomly from a list that is given by the managers taking part in the project. The feedback questionnaire is sent to managers, staff and peers via the IPM tool. All respondents are given a random number.

A feedback report (raw data) is produced via the IPM tool for further analysis by the Human Resources Unit. The final report is submitted to the managers who decide whether to communicate it to the training unit. The conclusions of the report are communicated in an anonymised form to the Training Unit.

The tool aims to help participants understand their professional skills and enhance their own personal

8) Automated Processing operation(s):

A feedback report (raw data) is produced via the IPM tool for further analysis by the Human Resources Unit.

<p>9) Manual Processing operation(s):</p> <p>Annalysis by project manager in the Human Resources Unit of the raw data produced via the IPM tool</p>
<p>10/ Storage media of data</p>
<p>11/ Legal basis and lawfulness of the processing operation</p> <p>11) Legal basis of Processing:</p> <p>Staff Regulations of Officials and Conditions of Employment of Other Servants of the European Communities and particularly its Article 24a. On this basis, the Director General has decided to conduct yearly a feedback project for further development of middlle management staff. (see Annex "Report on the middle management feedback pilot project and on management development opportunities", point 2.)</p> <p>12) Lawfulness of Processing:</p> <p>Answering this question please also verify and indicate if your processing has to comply with articles 20 "Exemptions and restrictions" and 27 "Prior checking (by the EDPS)"</p> <p>The processing is useful in helping DGT staff to fulfil their management functions carried out in the public interest on the basis of legal instruments or of the Treaties establishing the European Communities. Article 27 might apply although the results of the exercise are not communicated to hierarchy nor to any actor in the subject's formal evaluation exercise (CDR).</p>
<p>12/ The recipients or categories of recipient to whom the data might be disclosed</p> <p>20) Recipient(s) of the Processing:</p> <p>Data subject only. No information is transmitted to the hierarchy, to the data subject's colleagues, other DGT staff nor to other participants in the feedback project.</p> <p>21) Category(ies) of recipients:</p> <p>See answer under point 20</p>
<p>13/ retention policy of (categories of) personal data</p> <p>The Human Resources Unit complies fully with the Data Protection Regulation.</p> <p>? Any paper-based data, along with all electronic data will be stored securely in the unit drive, password protected, for restricted access to staff responsible for the project, for the duration of the project stage plus 6 months for reporting on the project implementation.</p> <p>? All paper data used for the stages previous to the reporting to the participants will be securely destroyed. No paper data is kept.</p> <p>? The data will not be shared nor transferred to any third party, unless requested in writing by the participant.</p>

<p>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) (on justified legitimate request from the data subject) (Please, specify the time limits for every category, if applicable)</p> <p>22 b) Time limit to block/erase data on justified legitimate request from the data subjects</p> <p>For all justified legitimate requests received by the Human Resources Unit, a response will be given within 15 working days from the day that the responsible service receives the correspondence, which may however send a justified holding reply, in the circumstances set out in point 4 on the Code of Good Administrative Conduct.</p>
<p>14/ Historical, statistical or scientific purposes <i>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,</i></p> <p>22 c) 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</p> <p>N/A</p>
<p>15/ Proposed transfers of data to third countries or international organisations</p> <p>27) Legal foundation of transfer:</p> <p>Only transfers to third party countries not subject to Directive 95/46/EC (Article 9) should be considered for this question. Please treat transfers to other community institutions and bodies and to member states under question 20.</p> <p>The processing does not require a transfer to a third party country not subject to Directive 95/46/EC.</p> <p>28) Category(ies) of Personal Data or Personal Data to be transferred:</p> <p>See point 27- No personal data are transferred.</p>
<p>16/ The processing operation presents specific risk which justifies prior checking (please describe): <i>(please describe)</i> :</p> <p>7) Description of Processing: Attention: Please describe in the answer to this question if you process personal data falling under article 27 "Prior-Checking (by the EDPS - European Data Protection Supervisor)"</p> <p>The activity concerns the use of a questionnaire designed for giving feedback to managers on their management competencies. This tool takes the form of a self-assessment of their competences by colleagues and by staff, selected randomly from a list that is given by the managers taking part in the project. The feedback questionnaire is sent to managers, staff and peers via the IPM tool. All respondents are given a random number.</p> <p>A feedback report (raw data) is produced via the IPM tool for further analysis by the Human Resources Unit. The final report is submitted to the managers who decide whether to communicate it to the training unit. The conclusions of the report are communicated in an anonymised form to the Training Unit. The tool aims to help participants understand their professional skills and enhance their own personal development in a professional context.</p>

12) Lawfulness of Processing:

Answering this question please also verify and indicate if your processing has to comply with articles 20 "Exemptions and restrictions" and 27 "Prior checking (by the EDPS)"

The processing is useful in helping DGT staff to fulfil their management functions carried out in the public interest on the basis of legal instruments or of the Treaties establishing the European Communities.

Article 27 might apply although the results of the exercise are not communicated to hierarchy nor to any actor in the subject's formal evaluation exercise (CDR).

☐ Article 27.2.(a) Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

n/a

☐ Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject,

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,

n/a

☐ Article 27.2.(d) Processing operations for the purpose of excluding individuals from a right, benefit or contract,

n/a

☐ Other (general concept in Article 27.1)

n/a

17/ Comments

1) Date of submission:

10) Comments if applicable:

The processing is similar to DPO-2706 notified by the European Personal Selection Office. Feedback for DGT managers however includes more different steps, hence a longer retention period (6 months versus 2 months in DPO 2706) is necessary.

36) Do you publish / distribute / give access to one or more printed and/or electronic directories?

Personal Data contained in printed and/or electronic directories of users and access to such directories shall be limited to what is strictly necessary for the specific purposes of the directory.

If Yes, please explain what is applicable.

no

37) Complementary information to the different questions if applicable, including attachments to this notification which should not be public :

The organisational security measures applicable to the DG DIGIT data centre, telecom centre, and Commission's internal telecommunication and telephone network are covered by the generic notification of the IT infrastructure (DPO-1).

The organisational security measures described below are these that are specific to the processing operations subject of this notification and that complement these described in DPO-1.

These specific organisational security measures are compliant and implements the Commission's security policy established by Commission Decision C (2006) 3602 on security of information systems.

PLACE AND DATE:24/05/2011

DATA PROTECTION OFFICER: RENAUDIERE Philippe

INSTITUTION OR BODY:European Commission