

(To be filled out in the EDPS' office)

NOTIFICATION FOR PRIOR CHECKING

DATE OF SUBMISSION: 15/05/2013

CASE NUMBER: 2013-0509

INSTITUTION: EEAS

LEGAL BASIS: ARTICLE 27-5 OF THE REGULATION CE N° 45/2001⁽¹⁾

INFORMATION TO BE GIVEN²

1/ NAME AND ADDRESS OF THE CONTROLLER

EEAS MDR C.2 Head of Division
Address: EEAS 07/271
At the date of the notification: Ms. Patricia Llombart Cussac

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

EEAS MDR C.2 – Human resources, Selection and recruitment of AD and AST staff.

3/ NAME OF THE PROCESSING

Title
Annual internal mobility exercise at Headquarters of the EEAS

Description

1/
On the basis of an updated list of staff (officials and temporary agents, in the AD and AST categories), senior management provides mobility tables with data of staff that should be concerned by the annual mobility exercise, to be checked and finalised by the HR directorate.

2/
Individual staff members are informed and have a possibility to react.

3/
Three mobility lists are set up by the administration, in which additional staff can be included: one AST list, one AD up to Head of Division list and one AD management list.

¹ OJ L 8, 12.01.2001.

² **Please attach all necessary backup documents**

4/

Staff in mobility are invited to show their interest in a number of posts in mobility through an online IT application "e-application".

5/

Line managers receive the mobility files of all staff having shown interest in the posts in mobility under their responsibility and have to provide MDR C with three names of colleagues who could be suitable for each post in mobility.

MDR C finalises the matching process and informs the members of staff concerned.

4/

PURPOSE OR PURPOSES OF THE PROCESSING

The purpose of the present processing operation is to manage the annual internal mobility exercise at Headquarters, by matching offers and requests for mobility, thereby contributing to the overall mobility policy in the EEAS

5/

DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

Staff (officials and temporary agents) in the AD and AST function groups at the EEAS Headquarters, as well as staff returning from Delegations, from CCP or from secondment

6/

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

- Name(s), surname(s)
- Person ID, professional contact details
- Job ID and job title
- Statutory link, category and grade
- CV and motivational statements

7/

INFORMATION TO BE GIVEN TO DATA SUBJECTS

A Privacy Statement linked to this Notification contains all information provided to the Data Subject(s).

The aforementioned distinct Privacy Statement is available on the intranet – EEASzone in the Administration page, Recruitment, Mobility and Rotation.

8/

PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS

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

Factual data are taken from Sysper2 and updated by senior management. Staff members identified for mobility are contacted individually by e-mail and have 5 working days to react. All staff members, including those not identified for mobility, are informed and have the same period of time to react.

The CV and motivational statements are filled in by the staff member concerned him/herself in the IT application.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

Both automated and manual processing, supported by an IT application and correspondence by email

10/ STORAGE MEDIA OF DATA

Correspondence through the functional mailbox EEAS MOBILITY to which access rights are limited to members of MDR.C.2.

Follow up of the mobility exercise through the dedicated IT application "*e-application*" stored on a secured central server.

Transmission of files to persons defined in point 12 by email.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

Decision of the Chief Operating Officer of 14/3/2013, attached.

Good administrative practices in the framework of the Treaty of Lisbon and the Council Decision of 26 July 2010 establishing the organisation and functioning of the European External Action Service (2010/427/EU) available on http://www.eeas.europa.eu/background/docs/eeas_decision_en.pdf

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

- Manager of the mobility exercise: MDR C2 and Appointing Authority;

- Line managers and hierarchy at EEAS HQ, for the staff members who have expressed an interest in a job under their responsibility

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

Data to be stored until all legal rights and obligations referring to a mobility decision concerning an official or temporary agent have elapsed, i.e. for a maximum of 5 years after the mobility exercise concerned. Data will be erased at the end of this period.

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)

The data subject has the right to access his or her personal data and the right to correct any inaccurate or incomplete personal data, as well as to request the removal of his/her personal data, which will be implemented within 5 working days after the request will have been deemed legitimate.

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.

Data could be used for statistical purposes in the framework of regular reports on HR management within the EEAS; data will then be anonymised.

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

The list of posts in mobility may be provided to Member States diplomatic services in case temporary agents of the national diplomatic services are invited to participate in the mobility exercise.

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

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,

The processing operation aims at evaluating possible matches between jobs open to mobility and staff in mobility.

↑ 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)

17/ COMMENTS

The decision of the COO, legal basis, covers the 2013 exercise only. It is expected that the same, or a similar, exercise will take place on a yearly basis. The present notification will be updated should any future exercise differ from the present one for what concerns data protection elements.

PLACE AND DATE: BRUSSELS, 15. MAY 2013

DATA PROTECTION OFFICER: MS. CARINE CLAEYS, EEAS DPO _____

INSTITUTION OR BODY: EUROPEAN EXTERNAL ACTION SERVICE

(To be filled out in the EDPS' office)

EDPS OPINION

OF DATE:

CASE NUMBER:

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FOLLOW UP *(in case of acting measures to be taken)*