

Register number: 1340

date of submission: 04-11-2015

case number: 2015-0967

Institution: EU Commisison DG BUDG

Legal Basis: article 5(d) Regulation 45/2001

DPO-3809.1 - BUDG : DG BUDG- Development programme for BUDG managers. Use of a 360° tool of feedback on leadership competencies General information

Creation : 12/10/2015

Last updated : 16/10/2015

Registration : Not yet registered

Status : Acceptance

Deleted : No

DG.Unit : BUDG.R.2

Controller : HELDMAIER-REGNIER Catherine

Delegate :

DPC : GASPERINI Valeria

Keywords :

Corporate : No

Language : English

Model : No Model

EDPS opinion (prior check) : No

Target Population : Officials

DPC Notes :

Processing

1 . Name of the processing

DG BUDG- Development programme for BUDG managers. Use of a 360° tool of feedback on leadership competencies

2 . Description

Terminology:

· **Reviewee(s):** the manager(s) who agree on a voluntary basis to take part in this exercise; Heads of Units, Directors and / or Deputy Director-General and / or Director-General of DG BUDG.

· **Reviewer(s):** managers (reviewees' managers), peers and all the staff members reporting directly to the respective reviewee who agree on a voluntary basis to give feedback to their manager (reviewee), provided that their working relationship with the respective manager exceeds six months at the date of the feedback. If the respective manager is a Director, feedback from these direct reports will be complemented by feedback from a stratified random

sample of staff members who have been working in the Units of his or her Directorate for at least six months and who agree on a voluntary basis to give their feedback, so as to achieve a sufficiently large number of reviewers to ensure their anonymity. The stratified random sampling will be performed by the external consultant, based on the information provided by the HRM Unit of DG BUDG on the eligible reviewers (name, staff category and Unit). If the respective manager is a Deputy Director-General, the feedback from his or her direct reports will be complemented by feedback from all Heads of Unit who have been in their post for at least six months and who agree on a voluntary basis to give their feedback. ·

Consultant/coach: Professionals working for the external service provider (BICK) who will conduct feedback discussions on one-to-one basis with the reviewees.

Following its Training strategy 2015, DG BUDG decided to launch a development programme for the all managers. This programme consists of:

- the establishment of a leadership competency framework specific to DG BUDG
- the deployment of a 360° feedback tool, a questionnaire that combines self-perception input and feedback from reviewers, to help the managers to learn about their professional skills and identify strengths and areas for development in relation to the DG's leadership competency model
- the offer of individual debriefing sessions with subcontractor's experts followed by the drafting of a development plan. The latter will eventually be discussed by the respective manager, on a voluntary basis, in a meeting with his / her hierarchy, in order to take stock of the development priorities and appropriate learning activities.

This notification concerns the processing of personal data in the context of the development programme for

DG BUDG managers with the use by DG BUDG staff (managers participating in the programme and reviewer colleagues) of development tools (Cubiks 360° feedback).

The 360° tool takes the form of a self-assessment of the management and leadership competencies of managers ('reviewees') and a feedback given by colleagues ('reviewers') by answering an online questionnaire composed of:

- a set of closed questions
- one open question for further individual comments to be made on a voluntary basis. A disclaimer will explicitly make the reviewers aware of the data protection risk linked to the potentiality of recognizing one's own written style – and will invite them to take the necessary precautions.

An individual report for each manager ('reviewee') will be produced on an aggregated basis (without allowing the identification of reviewers and the answers given by each one; it will only indicate the total number of reviewers). The report will be made available to the reviewee and, if he or she asks for a de-briefing, to the external coach (BICK) who will conduct the feedback session.

A group report will also be generated and provided to DG BUDG HR professionals and the Director-General of DG BUDG, who will have access only to aggregated information about the compiled results (such as most voted and less voted competencies, number of participants), without any possibility to track or identify individual answers or individual reviewees.

Up to 33 managers are eligible for the programme. The process will be carried out in one wave comprising all reviewees. The reviewees may freely access their questionnaire and reports online. There is no obligation for the reviewees to share the reports with anybody but the coach in

case the reviewees asks for a debriefing. The reviewees can opt-out at any moment once the process has started.

The reviewers are invited to give feedback on a voluntary basis. The invitation will consist in an e-mail communication from BICK to the totality of the reviewers. Reviewers who have less than six months of working relationship with the reviewee will not be invited. Staff members belonging to the categories "interimaire", "external service providers" and "trainees" are excluded from the exercise.

The reviewers will be randomly grouped in two clusters containing up to 12 reviewers each. The grouping will be made by the external consultant. The reason is solely to facilitate the aggregation of data from a technical point of view. This will not constitute a hindrance to the participation of the ensemble of the reviewers in the exercise.

In cases of recent internal mobility (within less than three months), reviewees and/or reviewers will have the option to receive/give feedback from/on their former colleague(s).

Before starting the exercise the reviewees and the reviewers will receive full information about the conditions of their participation and the procedure.

This processing of personal data falls under article 27 "Prior-Checking by the EDPS" as the processing operations intend to evaluate personal aspects relating to the data subject (DG BUDG managers), including his or her ability, efficiency and conduct.

The development programme for managers by using the 360° feedback tool is largely similar to the ones already used by other services in the Commission, prior checked by the EDPS and approved. See EDPS opinions concerning cases 2013-1290; 2014-0446 and 2014-0906 (see opinions attached to this notification).

This notification takes into account the recommendations made by the EDPS in the mentioned opinions.

List of attachments

- [14-05-23 EDPS Letter Middle Managers Feedback Tool 2014-0446 D-1209.pdf](#)
- [EDPS opinion C 2014-0906 DPO-3709.1 14-12-12 Letter JohnstonD-2525.pdf](#)
- [14-01-14 Letter Kersting 2013-1290 D-0067-opinion.pdf](#)

3 . Processors

- BICK Consortium, contractor under framework contract "EPSO/EUSA/PO/2014/069 Lot 2- Coaching formanagers and teams
- Cubiks Ltd, subcontractor which helps in the specialised process of data for the 360° feedback tool.
- The framework contract has data protection and security clauses in place to ensure the proper processingof data.

4 . Automated / Manual operations

The data for the 360° feedback is entered into a restricted-use website to which the manager concerned and the reviewer colleagues have separated and individual access.

The information is processed automatically to produce an individual feedback report. No individual input will be visible

5 . Storage

Data for the 360° feedback tool are stored on computing facilities provided by Cubiks Ltd at Ranger House, Walnut Tree Close, Guildford, Surrey, GU1 4US, United Kingdom, subject to a contract between Cubiks Ltd.

and BICK CONSORTIUM. The collected data will not be exported afterwards (see also point 17).

6 . Comments

All data are processed solely for the purposes of providing feedback.

Nobody within the Institutions, offices or agencies will have access to any data contained in the individual feedback reports. Reviewees will be made aware of the above.

The data processing will be carried out by Cubiks Ltd. who will be sub-contracted for this purpose by one of the contractors providing the training service for DG BUDG. As sub-contractors they will be subject to the same conditions concerning data protection set out in the contract with the contractor. Any future change of contractor will be indicated in the specific declaration made available to data subjects. The current contractors are set out under question 3. Also, in case of subcontracting in cascade (by the sub-contractors to other entities) the Commission must be informed in advance so that it can verify if the sub-contractors satisfy the EU level of data protection adequacy.

Purpose & legal basis

7 . Purposes

The purpose of the processing is to allow reviewees in the development programme for DG BUDG managers to obtain feedback on their management and leadership skills to help them develop their competencies. The data will not be used in any form of evaluation (appraisal) process of any of the persons involved

8 . Legal basis and Lawfulness

Legal basis:

The Commission decision of 7 May 2002 on Staff Training states:

- in Article 1 that learning is both a right and a duty for all persons working in the Commission, regardless of their assigned functions or their place of employment.
- in Article 2 that staff training in the Commission shall have as fundamental objective to expand and improve individuals' competencies so that each staff member can contribute optimally to the achievement of the Institution's goals.
- in Article 7 that the Directors General and Heads of Service shall, within their areas of responsibilities, (e) establish a strategic framework within the DG and (f) put mechanisms in place to manage training at DG level in line with central instructions and recommendations.

Article 24a of the Staff Regulations :

The Union shall facilitate such further training and instruction for officials as is compatible with the proper functioning of the service and is in accordance with its own interests.

Such training and instruction shall be taken into account for purposes of promotion in their careers.

The development programme for DG BUDG managers forms part of the DG BUDG Training Strategy 2015 currently being completed, which includes coaching of managers as one of the priorities for the development of professional and personal competencies necessary to achieve the objectives specified in the DG's Management Plan.

To organise the development programme for its managers, the DG uses a framework service contract (EPSO/EUSA/PO/2014/069) which has been signed between the European Administrative School (EUSA) and BICK CONSORTIUM (contractor) for the delivery of training coaching/consultancy services for the staff in the European institutions, bodies and agencies. This contract concerns lot 2 - coaching for managers and teams and includes an article (II.6) regarding data protection. Under this framework service contract, DG BUDG will contract services from BICK CONSORTIUM for a development programme for DG BUDG managers with the use of developmental feedback tool (Cubiks, 360° feedback).

Lawfulness: By virtue of art. 5.d of Regulation 45/2001, the data subjects participating in the development programme give their consent to the processing of personal data. This consent can be revoked at any time, also while the exercise is underway. When this happens, the exercise as regards this specific participant has to be stopped and any personal data collected will be deleted.

Article 27 of Regulation 45/2001 also applies. This processing of data has been prior-checked by the EDPS and approved in previous opinions (see cases 2013-1290; 2014-0446 and 2014-0906).

Data subjects and Data Fields

9 . Data subjects

- Reviewees: DG BUDG managers participating in the development programme herein described.
- Reviewers: reviewees' managers, peers and staff members who worked with the manager for at least six months.

10 . Data fields / Category

- Data of a personal nature allowing the identification of the data subject (name, first name, electronic address, position, administrative entity)
- Information provided by the reviewees on their own perception of their competencies related to DG BUDG's leadership competency model
- Information provided by reviewers on their perception of the reviewees's competencies related to DG BUDG's leadership competency model
- Feedback reports regarding the reviewees mentioning strengths and areas for development (in relation to the DG's established leadership competency model)
- Recommendations on training and on-the-job development activities matching development needs of reviewees

Rights of Data Subject

11 . Mandatory Information

All persons participating in this activity will receive an information message to explain the processing and the treatment of data. This information message contains a link to the privacy statement.

A copy of the privacy statement itself is attached.

List of attachments

- [privacy statement 360 assessment BUDG_final.docx](#)

12 . Procedure to grant rights

The procedure to grant rights is explained in the privacy statement attached (see point 11).

13 . Retention

The data collected for the launch and completion of the 360° feedback questionnaire are kept for three months after the questionnaire completion and then deleted. Once the manager (reviewee) has obtained the individual 360° feedback report, the report will be deleted automatically by the subcontractor Cubiks after three months.

The group reports, containing aggregated information without any possibility to track or identify individual

answers, will be kept by the DG BUDG HR unit for a period of two years. The reason is to allow an analysis of the evolution in case DG BUDG decides to repeat the exercise.

14 . Time limit

For all justified legitimate requests received by the controller, a response will be given within 15 working days from the day DG BUDG HR Unit 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.

15 . Historical purposes N/A

Recipients

16 . Recipients

After agreement of the participants, their professional email address will be communicated to the subcontractor which will then send by mail the necessary instructions to complete the questionnaire. The unique recipient of the individual report, automatically generated by Cubiks questionnaire (combining both self-perception questionnaire and reviewers' feedback), is the reviewee.

When requested by the reviewee, the external de-briefer from the subcontractor ("consultant/coach") will receive his/her reports in order to provide individual feedback to the reviewee. DG BUDG will receive only the group report, without the possibility of identifying any personal data.

17 . Transfer out of
UE/EEA N/A

Security measures

18 . Technical and organizational measures

19 . Complementary information

The following clause is included in the framework contract between the European Administration School (EUSA) and the contractor:

ARTICLE II.6 - PROCESSING OF PERSONAL DATA

II.6.1 Any personal data included in the framework contract shall be processed pursuant to Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Such data shall be processed by the data controller solely for the purposes of the performance, management and monitoring of the framework contract without prejudice to its possible transmission to the bodies charged with monitoring or inspection tasks in application of Union law