

PRIVACY STATEMENT

Statement on personal data protection within the framework of probationary period report

Personal data are processed in accordance with 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.

Processing operations are under the responsibility of the Head of Human resource management group (HRM Group) acting as Data Controller, regarding the collection and processing of personal data.

1. Purpose(s) of the processing

Your personal data is collected and further processed for the purpose of the initiation and monitoring of probationary period reports, including the necessary action implied by the outcomes of these reports, such as extension of the probationary period, confirmation of contract, or non-confirmation of contract, all in compliance with the provisions laid down in the Conditions of Employment of Other Servants of the European Union (CEOS), Articles 14 (for temporary agents) and 84 (for contract agents).

2. Recipients of the data processed

For the purpose detailed above, access to your personal data is given to the following persons:

- HRM Group (ADS1)
- The probationary member of staff (job holder)
- The reporting officer of the probationary member of staff
- The immediate superior of the reporting officer
- The appointing authority (Executive Director)

Any recipient of the data shall be reminded of their obligation not to use the data received for other purposes than the one for which they were transmitted.

3. Categories of data processed

Personal data collected and further processed concern any temporary agent or contract agent on probationary period.

Personal data can relate to all or some of the following data:

- Basic administrative data such as personnel number, name, job title, start of contract and organisation placement;
- Information related to your ability to perform the duties pertaining to your post, your conduct and efficiency in the service.
- In duly justified cases, data concerning health may be processed, for instance for extension of the probationary period due to absence on grounds of health. In such cases, however, the due justification for the extension of the probationary period is indicated in a separate note which is filed in your personal file whereas the probationary report will indicate the updated date of expiry of the probationary period.

4. Modalities for the processing operation

The initiation prompt is manually processed by HRM group: a notification is sent by email to the reporting officer of the probationary member of staff concerned. All other operations in connection with the report are carried out in a probationary period report application with access restricted to the parties involved in the reporting. The routing is determined in the electronic system and the report therefore automatically goes to the next actor once an actor has done his or her respective part and submitted the report.

5. Right of access and rectification

You have a right of access and rectification of your probationary period report and you are invited to provide your comments on its contents as foreseen in Articles 14 and 84 of the CEOS. Furthermore, you may have access to all documents contained in your personal file including your probationary period report. The right of rectification is limited to factual data whereas data related to your performance conduct and efficiency in the service may be rectified through the appropriate appeal procedure foreseen in the Staff Regulations (Article 90).

Any request for access or rectification of personal administrative data shall be addressed in writing to the Head of the HRM Group at the following address Lene.pedersen@eea.europa.eu, or European Environment Agency, Mrs Lene B. Pedersen, Head of HRM Group (ADS1), KN6, room 2.40.

6. Legal basis and legality of the processing

The legal bases for the processing operations on your personal data are the following:

- Articles 14 (for temporary agent) and 84 (for contract agent) of the Conditions of employment of Other Servants of the European Communities (CEOS)¹;
- Article 7 of the implementing rules on the engagement and the use of temporary agent adopted by the EEA Management Board on 20.10.2011;
- Article 3 of the implementing rules on the engagement and the use of contract staff adopted by the EEA Management Board by written procedure following the 51st Bureau meeting;

The processing is necessary for compliance with a legal obligation laid down in the Staff Regulation and the Conditions of Employment of Other Servants of the European Communities to which the controller is subject (Article 5(b) of Regulation (EC) No 45/2001).

7. Data retention

Probationary period reports are kept in the personal file of the member of staff concerned in line with the provisions in Article 26 of the Staff Regulations for a maximum period of five years after the end of the probationary period. After that date, the probationary report is removed from the personal file and replaced by a note confirming that the member of staff concerned served a probationary period, the period it covered and the decision that ensued.

¹ Council Regulation (EEC, Euratom, ECSC) No 259/68 of 29 February 1968 laying down the Staff Regulations of Officials of the European Communities and the Conditions of employment of other servants of the European Communities (OJ L 56 of 4.3.1968, Special edition 1968, 1.12.1972) and the subsequent regulations and corrigenda amending and correcting that regulations

8. *Right to appeal*

You are entitled to have recourse at any time to the European Data Protection Supervisor (<https://edps.europa.eu>; EDPS@edps.europa.eu) if you consider that your rights under Regulation (EC) No 45/2001 have been infringed as a result of the processing of your personal data by the EEA.

You may also contact the EEA's Data Protection Officer (DPO) in case of any difficulties or for any questions relating to the processing of your personal data at the following e-mail address: Data.ProtectionOfficer@eea.europa.eu