



## **PRIVACY STATEMENT**

### ***Statement on personal data protection within the framework of Career Development Cycle (CDC) appraisal 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 the management of your career development cycle (CDC), including the development plan and appraisal reports, as well as the recording of your learning and development activities, all in compliance with the provisions laid down in the Staff Regulations (SR) and the Conditions of Employment of Other Servants of the European Union (CEOS). The CDC supports the dialogue between the jobholder and the line manager when it comes to fulfilling career development aspirations and wishes one might have for vocational development. In general terms, the purpose of the CDC and the implemented system is to bring concurrence to the Agency's long and short-term objectives and wishes of the jobholders.

#### **2. Recipients of the data processed**

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

- A limited number of staff within the HRM Group (ADS1)
- The appraised member of staff (job holder)
- The reporting officer of the appraised member of staff
- The immediate superior of the reporting officer
- The appointing authority (Executive Director)
- Heads of Programme, members of the Joint Promotion and Reclassification Committee and, in case of appeal, members of the Joint Review Committee, have access to appraisal reports for the last two years of staff members included in the list of staff eligible for promotion or reclassification

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 staff members currently employed at the EEA, including officials, temporary agents, contract agents and seconded national experts.

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

- Basic administrative data such as personnel number, name, job title, organisational placement and appraisal reference period;
- Information and data entered by the jobholder under the self-assessment part, including declaration of interest;
- Comments by the reporting officer on the objectives, performance indicators and the development of competencies, including assessment of potential conflict of interest;
- Summary entered by the reporting officer on the jobholder's competencies, conduct and efficiency in the service;
- Comments on the appraisal entered by the jobholder and the immediate superior of the reporting officer

#### **4. *Modalities for the processing operation***

Information regarding annual objectives, performance indicators and development of competencies is entered manually in the application by either the jobholder or the line manager (reporting officer). The final version of the development plan that will be registered in the application is agreed upon between the jobholder and the line manager following the career development dialogue.

As for appraisals, the process is initiated with a self-assessment entered manually in the CDC application by the jobholder (within 8 working days). Following a dialogue between the jobholder and the line manager, the latter manually enters in the CDC application comments on the objectives, performance indicators and development of competencies, as well as a summary of the jobholder's competencies, efficiency and conduct in the services. The Jobholder can comment on the appraisal (within 5 working days). The countersigning officer can then amend or confirm the appraisal report and add comments if deemed relevant.

There is an automated processing insofar as if the jobholder does not react within the legal deadlines (see above), the system will move the process forward to the next stage.

#### **5. *Right of access and rectification***

You have a right of access to your personal data entered in the application directly on-line, and you may request update and rectification of your personal data entered at any time. You are also invited to provide your comments and express your opinion on all information registered in your appraisal report as foreseen in Articles 43 of the SR and Articles 15 and 87 of the CEOS. 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](mailto: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:

- Article 43 of the Staff Regulations

- Articles 15 (for temporary agent) and 87 (for contract agent) of the Conditions of employment of Other Servants of the European Communities (CEOS)<sup>1</sup>;
- Decision of the EEA Management Board laying down general provisions for implementing Article 43 of the Staff Regulations and implementing the first paragraph of Article 44 of the Staff Regulations for officials and temporary agents (MB decision num. 009/EEA/MB-WP-HR/2015 - Written procedure – 30.10.2015);
- Decision of the EEA Management Board on general provisions for implementing Article 87(1) of the CEOS and implementing the first paragraph of Article 44 of the Staff Regulations (MB decision num. 010/EEA/MB-WP-HR/2015 – Written procedure – 30.10.2015);

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 Union to which the controller is subject (Article 5(b) of Regulation (EC) No 45/2001).

## **7. Data retention**

Appraisal reports are kept in the CDC application for a maximum period of ten years after the end of the employment with the EEA with a view to serve as evidence in case of dispute or legal proceedings lodged by former staff members after the end of their employment or to accommodate requests from former staff members to have the records for their entire career at the EEA.

## **8. Right to appeal**

You may 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](mailto:Data.ProtectionOfficer@eea.europa.eu)

You are also entitled to have recourse at any time to the European Data Protection Supervisor (<http://www.edps.europa.eu>; [EDPS@edps.europa.eu](mailto: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.

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<sup>1</sup> 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