



European Research Council
Executive Agency

Established by the European Commission

RECORD OF PERSONAL DATA PROCESSING

Art. 31 of the REGULATION (EU) 2018/1725 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (henceforth the "Data protection regulation")

Record n°

DPO 04 - 2019

In accordance with Article 31 of the data protection regulation, individuals whose personal data are processed by the Executive Agency in any context whatsoever are to be protected with regard to the processing of personal data and the Executive Agency has to keep records of their processing operations.

This record covers two aspects:

1. Mandatory records under Art 31 of the data protection regulation (recommendation: make the header and part 1 publicly available)
2. Compliance check and risk screening (initial; part 2 is internal only to the Agency, not published)

The ground for the record is (tick the relevant one):

- Regularization of a data processing operation already carried out
- Record of a new data processing operation prior to its implementation
- Change of a data processing operation
- Migration from notification to record

Staff Appraisal

Staff Appraisal		
1	Last update of this record if applicable	ARES(2017)52437 of 05/01/2017
2	Short description of the processing	The appraisal exercise is launched in the beginning of the year and relates to the annual evaluation exercise of the professional activities of all temporary and contract staff. The main steps are self-assessment, dialogue and appraisal report. Each report includes an individual qualitative appraisal of the jobholder's efficiency, ability and conduct in the service. It also includes a conclusion on whether the jobholder's performance has been satisfactory.

The appraisal exercise is administered by means of a secure electronic system (SYSPER). For each eligible jobholder the appraisal report is launched electronically whereby he/she is requested to produce a self-assessment. More specifically, the annual appraisal process is structured as follows:

1. The jobholder writes a self-assessment in SYSPER within eight working days of receiving a relevant electronic request.
2. The jobholder has a formal dialogue with his/her Reporting Officer (about performance during the reference period, future tasks/objectives, career development, training needs).
3. The Reporting Officer writes a qualitative report/appraisal in SYSPER (if the performance is assessed as unsatisfactory, a confirmation by a Countersigning Officer is required).
4. The jobholder provides feedback on the appraisal report within five working days of the date on which the jobholders was invited to consult the report:
 - a. The jobholder accepts the report, with or without comments, or;
 - b. The jobholder refuses the appraisal report stating the reasons for such refusal which means that it will automatically be transferred to the Appeal Assessor.
5. In case of appeal, a meeting can be arranged between the Appeal Assessor and the jobholder, at the jobholder's request expressed in the reasoned refusal to accept the report.
6. The Appeal Assessor confirms or modifies the appraisal report, giving reasons.

For Temporary staff members seconded from the European Commission to the Agency (Temporary staff under Article 2(a) of the CEOS), the appraisal process is managed by both the Commission (DG RTD) and the ERCEA: the ERCEA performs a first level of appraisal, which is carried out like following the steps described above and the appraisal report is delivered to the Commission. The latter performs then a second level of appraisal, using ERCEA's appraisal as a contribution.

(This part may be public)
Part 1 - Article 31 Record

3	Function and contact details of the controller	Head of Human Resources Unit (ERCEA.D2) ERC-CDR@ec.europa.eu ERC-CAREER@ec.europa.eu
4	Contact details of the Data Protection Officer (DPO)	ERC-DATA-PROTECTION@ec.europa.eu
5	Name and contact details of joint controller (where applicable)	N/A

6	Name and contact details of processor (where applicable)	European Commission Directorate General Human Resources (DG HR) HR-RRH-EEAS-AND-EA-APPRAISAL@ec.europa.eu DIGIT DIGIT-SYSPER2-INTERNAL-SUPPORT@ec.europa.eu
7	Purpose of the processing	The annual appraisal process is intended to provide regular and structured feedback to staff members in order to improve their individual performance and contribute to their career development. It also serves to determine whether the staff member is eligible or not for the subsequent reclassification exercise and to provide a qualitative evaluation of the performance of each staff member in order to perform this reclassification exercise. The Controller or the ERCEA in general may further envisage anonymous statistical analyses with the purpose of improving the quality of the processes and the management of Human Resources.
8	Description of the categories of data subjects	<input checked="" type="checkbox"/> EA staff (Contract staff under Article 3a of the CEOS and temporary staff under Article 2(f) of the CEOS who are in active employment as well as officials seconded to the Agency from the European Commission (Temporary Staff under Article 2(a) CEOS)) <input checked="" type="checkbox"/> DG RTD / DG HR staff that are involved in the process of the appraisal exercise as their names are recorded [e.g. Reporting Officers from DG RTD who appraise officials seconded to the Agency from the European Commission Director General of DG RTD who acts as the Chair of Steering Committee and in case he is asked to be the appeal assessor for staff reporting to the Director of the Agency] <input type="checkbox"/> Visitors to the EA <input type="checkbox"/> Contractors providing goods or services <input type="checkbox"/> Applicants <input type="checkbox"/> Relatives of the data subject <input type="checkbox"/> Complainants, correspondents and enquirers <input type="checkbox"/> Witnesses <input type="checkbox"/> Beneficiaries <input type="checkbox"/> External experts <input type="checkbox"/> Contractors <input type="checkbox"/> Other, please specify _____

<p>9</p>	<p>Description of personal data categories</p> <p>Indicate all the categories of personal data processed and specify which personal data are being processed for each category (between brackets under/next to each category):</p>	<p><i>Categories of personal data:</i></p> <p><input checked="" type="checkbox"/> in the form of personal identification numbers</p> <p>[Per Id, Job Nr]</p> <p><input checked="" type="checkbox"/> in the form of broader Identification data</p> <p>[Name, Last name, Personnel Number, Organisational entity, Statutory link, Position both of the reporting and the countersigning officers, Administrative address]</p> <p><input type="checkbox"/> concerning the physical characteristics of persons as well as the image, voice or fingerprints</p> <p><input type="checkbox"/> concerning the data subject's private sphere</p> <p><input type="checkbox"/> concerning pay, allowances and bank accounts</p> <p><input type="checkbox"/> concerning recruitment and contracts</p> <p><input checked="" type="checkbox"/> concerning the data subject's family</p> <p>[data on maternity leave either collected or spontaneously received to justify active employment hence participation at the exercise and suspension of time limits for completion of appraisal steps if requested by the staff member]</p> <p><input checked="" type="checkbox"/> concerning the data subject's career</p> <p>[Eligibility of the staff member (Y/N), Appraisal launched in Sysper (Y/N), Administrative position, Grade, Level, Seniority Assignments, Name of Reporting Officer (RO) on 1st December or previous year, name of Reporting Officer by Delegation (ROD) (if any), name(s) of previous reporting officer(s) during the reference year if any]</p> <p>Further career-related data:</p> <p>Provided by the job holder in the Self-Assessment part of the appraisal form</p> <ul style="list-style-type: none"> – Evaluation by the staff member of his/her Efficiency – Ability – Conduct – Languages (level of competence / languages used) - Responsibilities (level and types of responsibilities taken on) – General comments – Comments by the Job holder on the qualitative appraisal of the reporting officer – Request of the Job holder to have a dialogue with the Appeal Assessor (Y/N), Reasoning related to the request. <p>Evaluation part (career-related data provided by the reporting officer)</p> <ul style="list-style-type: none"> – Evaluation of the job holder's Efficiency – Ability – Conduct – Languages (level of competence / languages used) - Responsibilities (level and types of responsibilities taken on) – General comments – Conclusion on job holder's performance: satisfactory / not satisfactory
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– Whether or not a dialogue was held (Y/N); Date of the dialogue; Comments

Appeal Assessor's part of the form :

- Decision by the Appeal Assessor (performance satisfactory / not satisfactory) ; Reasoning related to the decision

- Whether or not a dialogue was held (Y/N) ; Date of the dialogue;

- Whether or not other people were present at the dialogue (Y/N)

- Opinion of the third party

concerning leave and absences

[Target date+ Duration of absence

Especially for staff being on Leave on Personal Grounds (CCP), long sick leave, maternity leave or parental leave, leave for military purposes: type of leave, start date and end date of leave (if known) to justify active employment hence participation in the appraisal exercise]

concerning missions and journeys [Target date+ Duration of absence]

concerning social security and pensions

concerning expenses and medical benefits

concerning telephone numbers and communications

[f needed we use the Phone and Fax Nr and only if absolutely necessary also the mobile phone nr. as indicated in Sysper]

concerning names and addresses (including email addresses)

Other :please specify :_____

Categories of personal data processing likely to present specific risks:

data relating to suspected offences, offences, criminal convictions or security measures

data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct)

Categories of personal data whose processing is prohibited, with exceptions (art. 10 new Regulation):

revealing racial or ethnic origin

revealing

political opinions

revealing religious or

philosophical beliefs

revealing trade-union membership

concerning generic health

[If spontaneously revealed by the staff members to justify non-participation in the exercise or to request extension of applicable deadlines]

genetic data, biometric data for the purpose of uniquely identifying a natural person

10	Retention time (time limit for keeping the personal data)	<p>[biometric data - in general e-signatures are used: the jobholder signs the report in Sysper following a previous authentication process with username & password. However, very rarely a PDF with hand-written signature of the jobholder can be received. In this case, the report is copy-pasted in Sysper and the document is attached as well.</p> <p><input type="checkbox"/> concerning sex life or sexual orientation</p> <p><i>Specify any additional data or explanatory information on the data being processed, if any:</i></p> <p>Furthermore, for staff having lodged an appeal:</p> <ul style="list-style-type: none"> ▪ Appeals of staff members (personnel number, surname, first name, date and reason for appeal, appraisal report) ▪ Joint Committee's opinion on the appeals (if applicable) ▪ Appeal Assessor's decision <p>The evaluation documents are considered integral part of the jobholder's personal file (section career), for which the Common Retention Policy of the Commission – SEC(2019)900 is applied by analogy.</p> <p>ERCEA foresees the following retention period: evaluation documents are retained for 8 years after the extinction of all rights of the person concerned and of any dependants, and for at least 100 years after the date of recruitment of the person concerned.</p> <p>Any anonymous statistical analyses which might be envisaged with the sole purpose of improving the quality of the processes and the management of Human Resources will not result in increase of retention periods.</p> <p>Is any further processing for archiving purposes in the public interest, historical, statistical or scientific purposes envisaged? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no</p> <hr/> <p>If the answer is yes, please go to Part 2 Compliance check, Storage and Security for technical safeguards.</p>
11	Recipients of the data	<ul style="list-style-type: none"> - Staff member subject to appraisal - Reporting officer (staff member's direct superior, or an eligible unit's staff member who received a delegation from the direct superior) - Countersigning officer (direct superior of the reporting officer or, in some cases, Head of another Department) - Appeal Assessor (direct superior of the reporting officer or Director or Chairperson of the Steering Committee) - Members of the Joint Committee - Authorised personnel of ERCEA HR Unit (Head of HR unit and HR staff in charge of the appraisal and reclassification process) - Specifically for Appraisal process of Temporary Agents 2(a): Authorised personnel of the Commission (DG RTD HR Unit; DG RTD Senior Management; DG HR)

12	<p>Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?</p>	<p>No and N/A.</p>
13	<p>General description of the technical and organisational security measures</p>	<p>Physical security: All the information systems listed below are hosted in the DIGIT Datacentre. Access to the DIGIT Datacentre is restricted to authorized staff in DIGIT and it is controlled by badge plus pin code.</p> <p>Logical security:</p> <ul style="list-style-type: none"> ▪ Outlook: The user needs to log onto the Windows Environment or onto the Outlook WebApp (available via https://myremote.ec.europa.eu and protected via a two way authentication methodology) to have access to his/her email account. In addition, HR Unit recommends to all the stakeholders involved in the process to exclusively use encrypted (S/MIME aka SECEM) security system. ▪ Sysper: is protected with the European Commission's EU Login authentication system. The access right system in Sysper is customised in order to restrict the access to the files to the authorised people. ▪ ARES: is protected with the European Commission's EU Login authentication system. In Ares, a handling restriction with "Staff Matter" marking is applied to all files in order to restrict the access to the authorised people. ▪ ERCEA HR share drive: Access to restricted data on the ERCEA HR share drive is only given to authorised staff members of the HR Unit in charge of the monitoring of the processes.
14	<p>Information to data subjects/ Specific Privacy Statement (SPS)</p>	<p>A Specific Privacy Statement on Staff Appraisal is published on the intranet of the Agency.</p> <p>1) At the Appraisal Section of the Career Development Page http://intranet.ercea.cec.eu.int/services/human-resources/career/Pages/Career-development.aspx#anchor3</p> <p>2) Career Privacy Statements http://intranet.ercea.cec.eu.int/services/human-resources/priv/Pages/Career.aspx</p>