



Eurojust record of processing activity

Record of processing personal data activity, based on Article 31 of 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

Part I –Article 31 Record (this part is publicly available)

Nr.	Item	Description
Staff evaluation and promotion including: <ul style="list-style-type: none"> • Probationary period reporting • Performance appraisal • Reclassification 		
1.	Last update of this record	17/03/2020
2.	Reference number	HRU-03 (March 2020)
3.	Name and contact details of controller	hohrconfidential@eurojust.europa.eu
4.	Name and contact details of DPO	dpo@eurojust.europa.eu
5.	Name and contact details of joint controller	N/A
6.	Name and contact details of processor	hrd@eurojust.europa.eu
7.	Purpose of the processing	Any personal data will be processed solely for evaluating the efficiency, ability, conduct and learning and development of temporary and contract agents so as to confirm them in their post during their probationary period, state whether their performance has been satisfactory or not on an annual basis and examine any appeals against a probationary or an appraisal report. In addition, personal data will be used for examining the comparative merits of the temporary and contract agent staff eligible for reclassification, drawing up the list of staff reclassified and examining complains lodged against non-inclusion in the reclassification list in accordance with <i>Art. 43 and 45 Staff Regulations, Art 14, 15, 16, 54, 84, 87(3) CEOS, College Decision</i>

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		2016-7, College Decision 2016-8, College Decision 2016-9, College Decision 2016-10 and College Decision 2018-11.
8.	Description of categories of persons whose data are processed and list of data categories	Temporary and Contract Agents working at Eurojust. Data kept are first and last name, personnel number and subjective data about ability and quality of performance of temporary and contract agent staff.
9.	Time limit for keeping the data	<p>In accordance with <i>AD Decision 2017-04</i>, implementing <i>AD Decision 2017-03</i> on setting-up the Eurojust historical archives and internal organisational memory, the final probationary period and appraisal reports and decisions with regard to the probationary period reporting and performance appraisal processes are stored as copies in the personal file of the staff members concerned. The data are kept in the personal file for the period of the duration of the employment with Eurojust, plus the period in which such decisions may still be subject to appeal (with a maximum of six additional months), provided there are no pending claims or any other open issues. After the end of employment, the HR unit will destroy the hard copies notwithstanding the obligation to transfer the personal file under <i>Art 10, College Decision 2016-6</i> laying down general implementing provisions on the procedure governing the engagement and use of temporary staff under <i>Article 2(f)</i> of the <i>CEOS</i>.</p> <p>Electronic copies of final probationary period and appraisal reports are temporarily stored in the HR SharePoint as they form part of the reclassification file. Such reports are accessible to the HR Development Team, the respective Head of Unit/Office, the Reclassification Board and the JRC for the duration of the reclassification process as they form the reclassification file. Access is granted after the launch of the reclassification exercise via a written request to the Application Manager. Access is revoked by the end of the reclassification exercise via a written request to the Application Manager and past reports are deleted by the HR Development Team as soon as a temporary/contract agent is reclassified.</p>
10.	Recipients of the data	The data collected will only be disclosed to the absolute minimum of persons involved in the respective staff evaluation exercises. Besides the HR Development Team whose access is necessary for running the processes, the data regarding all three processes is only disclosed to the respective reporting officer, countersigning officer and the appointing authority.

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		<p>With regard to reclassification, the data is disclosed to the Reclassification Board, consisting of the Heads of Departments and the Administrative Director and the JRC.</p> <p>If a request for a review is requested or a complaint is lodged with regard to the probationary period report, performance appraisal report or reclassification draft/final list, the data will be transferred to the Legal Affairs Unit, the Administrative Director, Appeal Assessor or the JRC respectively.</p> <p>Once the complaint is finalised, the Legal Affairs Unit will delete all records and anonymise any records that might be kept for future reference.</p>
11.	<p>Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?</p>	No
12.	<p>General description of security measures, where possible.</p>	<p>The data is kept in the personal files of temporary and contract agents located in a locked room where only members of the HR unit involved in the respective processes have access with their badge. The Security Unit of Eurojust is responsible to grant access to the room and it will do so after a written and reasoned request from the data controller.</p>
13.	<p>For more information, including how to exercise your rights to access, rectification, object and data portability (where applicable), see the data protection notice:</p>	<p>Any person involved in the staff evaluation procedures has the right to be informed about the processing of his/her personal data, and is entitled to access and rectify the data collected. In practice, this is implemented via the right of access to the personal file, the right to rectify factual data upon request, and the possibility to rectify the subjective evaluation data via the respective appeal procedures. During the course of the performance appraisal and the probationary reporting it will also be possible to receive a copy of the reports and to make comments. All staff members have access to their personal files and they can exercise this right by sending an email to the HR Unit. The access is logged in an excel located in HR SharePoint and staff members can consult their personal file in the HR offices. Data subjects will also be informed via the Data Protection Notice published in the Eurojust intranet and website.</p> <p>HR Development will inform staff members of their rights in relation to the data collected with the probationary report, trial period report for middle managers, mid-term trial period for managers, appraisal report via the disclaimer on the form itself</p>

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		and via the induction session that is provided to all newcomers where the activities of DPO are presented and a copy of "Data Protection at Eurojust" is provided to all participants.