

SPECIFIC PRIVACY STATEMENT
regarding the processing of personal data related to
STAFF EVALUATION

The staff evaluation procedures include the following individual processes:

- Performance Appraisal
- Probationary Period Reporting
- Reclassification

What is the legal basis for processing your personal data?

The legal basis for all three processes is foreseen in the Staff Regulations and the Conditions of Employment for Other Servants (CEOS) and the Agency thus has a legal obligation to undertake them. For the performance appraisal exercise Article 43 of the Staff Regulations and Article 15(2) and 87(1) of CEOS form the legal basis, Article 14 and 84 of CEOS form the legal basis for the probationary period reporting, while Article 10 of CEOS is at the basis of the reclassification exercise.

What is the purpose of the collection of personal data?

Any personal data will be processed solely for the purpose of evaluating the ability and the quality of performance of the staff members involved.

What personal data is collected?

The data collected shall include name, contact information, identification number, grade, position, information on career breaks and subjective data about ability and quality of performance.

Who has access to your personal data and to whom is it disclosed?

The data collected will only be disclosed to the absolute minimum of persons involved in the respective staff evaluation exercises. Besides a small number of staff from the HR Unit necessary for running the processes, the data regarding all three processes is only disclosed to the management of ECHA: with regard to performance appraisal and probationary period reporting it will be disclosed to the team leader (if applicable), reporting officer (usually the Head of Unit), countersigning officer (usually the Director) and the appointing authority (Executive Director).

With regard to promotion (reclassification), the data is disclosed to the Reclassification Management Committee, consisting of the Executive Director and all Directors.

If a request for a review is requested with regard to the performance appraisal or reclassification exercise, the data will be transferred to the Joint Committee for Appraisal and Reclassification (consisting of four senior staff members (AD 9 and above), of which two are designated by the Executive Director and two by the Staff Committee.

Who is the data controller?

The Head of Unit Human Resources shall exercise the tasks of the data controller for the purpose of this processing operation.

How long are your personal data kept?

The final reports and decisions with regard to all three processes are stored in the individual personal file of the staff members concerned. The data will be kept in the personal file for the period of the duration of the employment with the Agency, 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.

What are your rights?

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 practise this is implemented via the right of access to your 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. Under certain conditions, a right to erasure, restriction, objection and/or data portability also applies.

However, if you feel your Data Protection rights have been breached you can always file a complaint with ECHA's Data Protection Officer (data-protection-officer@echa.europa.eu) or have recourse to the European Data Protection Supervisor.

Contact information:

To exercise the above mentioned rights, contact the data controller at hr@echa.europa.eu.