



European Committee
of the Regions

Record of processing activity – Working document

Procedure relating to professional incompetence

PART 1 - Record

1. General Information

Reference number	RE2-7
Last update	30/09/2024
Controller	European Committee of the Regions
Directorate	Directorate E
Unit	E.2 Recruitment and career
Contact details	service-carriere@cor.europa.eu
Joint controller	N/A
Joint controllership arrangement	Available internally
DPO contact details	data.protection@cor.europa.eu
Processor(s)	N/A
Data processing agreement	Available internally

2. Purpose and description of the personal data processing

Purpose(s) of the personal data processing	The objective of the procedure for the detection, prevention, management and resolution of cases of professional incompetence, as referred to in Article 51 of the Staff Regulations and implemented by Decision No 47/2020 of the European Committee of the Regions on the procedure for the detection, prevention, management and resolution of cases of professional incompetence, is to ensure that each case is dealt with at an early stage and in a systematic manner in order to assist the official concerned, with the support of his hierarchy, in recovering and maintaining the level of work required to perform the tasks assigned to him satisfactorily.
Categories of persons whose personal data are processed	Full officials.
Categories of personal data processed	<ul style="list-style-type: none">— surname and forename(s);— status, function group, grade and step;— employment service(s) during the reference period;— duties performed during the reference period;— self-assessment, including also linguistic and technical knowledge demonstrated or acquired during the reference period;— assessment (by the reporting officer and, where applicable, by the appeal assessor) of the ability, efficiency and conduct in the service;— general assessment of the level of benefits (satisfactory/unsatisfactory);

	<ul style="list-style-type: none"> — at the request of officials in the AST function group, starting at grade AST5, the assessor's assessment of their potential to perform administrator duties; — level of responsibilities exercised and participation in horizontal professional activities exceeding normal duties; — targets set for the following reference period; — any comments from the official/staff assessed.
Recipients of the personal data	<p>The data processed as part of the professional incompetence procedure is disclosed (in whole or in part) to the following persons only:</p> <ul style="list-style-type: none"> ☐ officials concerned and their virtual evaluators/evaluators, their immediate superiors and, where applicable, the respective appeal assessors; ☐ persons who have received delegation from an evaluator/virtual evaluator; ☐ head of the Recruitment and Career Unit, managers in the Career Development Sector responsible for administrative management of the procedure and manager of individual files; ☐ managers of the IT department responsible for the development and maintenance of the EVA COR IT system; ☐ medical service and managers of the relevant departments of the Directorate responsible for managing the human resources required to intervene in the procedure; ☐ Secretary-General, Director/Deputy Director of the Directorate in charge of Human Resources Management; ☐ person accompanying the official concerned; ☐ where appropriate, members of the Joint Advisory Committee on Professional Incompetence; ☐ Competent Appointing Authority in accordance with Rule 73 of the Rules of Procedure of the European Committee of the Regions; ☐ the data may also be communicated, where appropriate and within their respective powers, to the Legal Service, the Internal Audit, the Disciplinary Board.
Transfers of personal data to a third country or an international organization	No
Retention period of the personal data	<p>The evaluation reports are drawn up and kept in the EVA COR IT system and are also transferred to the individual files of the officials concerned.</p> <p>The accompanying plan(s) and the extended accompanying plan(s), notes, balance sheets and individual decisions (retrogradation, dismissal) drawn up under the professional incompetence procedure shall be included in the individual file of the officials concerned. The retention period of these documents therefore corresponds to that of individual files. However, a demoted official for incompetence may, after a period of six years, request that any mention of this measure be deleted from his personal file.</p>
General description of security measures, where possible	<p>Concerning physical files</p> <p>Evaluation reports and other paper documents necessary for the proper conduct of the procedure will be kept under lock by the participants in the professional incompetence procedure (Heads of</p>

	<p>Unit, HR Managers, Medical Service).</p> <p>Concerning electronic files</p> <ul style="list-style-type: none"> - Concerning evaluation reports: they can be accessed through the Sysper app. Each staff member has unlimited online access to their own digitised individual file. Each consultation of an evaluation report by a third party is registered by the system (name, access role, date and time of the consultation) and the holder is thus informed. From the 2018 evaluation exercise, the evaluation reports drawn up in the EVA COR system shall be electronically archived in that system and accessible only to authorised personnel. - For other documents (accompanying plans/extended plans, notes, balance sheets and individual decisions): they are kept on shared disks with restricted access with a password. Access to electronic files is strictly limited to competent staff.
Data protection notice	Published internally