

## **Specific privacy notice on personal data protection in relation to the secondment of National Experts (SNE)**

Fusion for Energy processes the personal data in accordance with the Regulation (EC) 45/2001 of the European Parliament and of the Council of 18<sup>th</sup> December 2000 concerning 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 (the Regulation (EC) 45/2001). As laid down in Articles 11 and 12 of the Regulation (EC) 45/2001, Fusion for Energy provides potential SNEs with the following information:

### **Identity of the Data Controller:**

Head of Administration Department

### **Purposes of the processing operation:**

Enable the secondment of National Experts to Fusion for Energy in order for the organisation to benefit from their high level of professional knowledge and experience, in particular in areas where such expertise is not readily available.

### **Legal basis:**

Decision of the Governing Board on the secondment of experts to the Joint Undertaking for ITER and the Development of Fusion Energy (F4E(07)-GB03-17)

### **Lawfulness of the processing:**

In accordance with Article 5 (a) and (d) of Regulation (EC) 45/2001, the processing of the personal data is necessary for the performance of F4E tasks carried out in the public interest on the basis of the F4E founding instrument<sup>1</sup> and in the legitimate exercise of official authority vested in F4E and in a third party to whom the data are disclosed and the data subject has unambiguously given his or her consent.

### **Data Concerned:**

The data of the potential SNEs.

Potential SNEs are free to give their data on a voluntary basis, although failure to respond with any further information requested will exclude the potential SNE from the secondment procedure.

### **Categories of data:**

- CV sent by the potential SNE to the operational department. The operational department sends the CV to Human Resources, with the name of the employer of the potential SNE. The CV may contain information related to identity (surname, first name, nationality, date of birth, gender), education background, work experience, mother tongue, knowledge of other languages,

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<sup>1</sup> Council decision 2007/198/ Euratom of 30 March 2007 establishing the European Joint Undertaking for ITER and the Development of Fusion Energy (F4E) and conferring advantages upon it (OJ L 90, 30.3.2007, p. 58)

information enabling the candidate to be contacted (postal and electronic address, telephone and fax number, etc.)

- Request for SNE, filled out by the Human Resources officer dealing with the secondment of National Experts, with the following information (sent to the Appointing Authority): name, surname, professional experience, employer of origin, country, since when is the SNE working for the employer, deemed residence, country of origin, CV
- Financial Identification Form (name, surname, address, telephone, fax, e-mail, bank name, branch address, account number, IBAN) and Legal Entities Form (name, surname, address, identity card number or passport number, date of birth, place of birth, country of birth, phone number, fax and e-mail) - for payment purpose, sent by the SNE
- Statement from the employer informing of the net salary received by the potential SNE (in case Fusion for Energy decide to reimburse the remuneration of the SNE)
- Sworn statements from the employer: concerning the seniority of the potential expert (since when he/she is working for the employer) and his/her functions
- Sworn declaration from the potential SNE: name, surname, date and place of birth, gender, marital status, number and age of dependent children, nationality, present address, highest diploma awarded and date of award, working languages, current professional activity, name of the employer, place of work, date of entry into service for this employer, is it part of the public or private sector, other professional activities during the past 3 years, professional activity of wife/husband

**Recipients of the data processed:**

Information provided by the SNE will be disclosed to the following:

- Human Resources Officers in charge of SNEs
- Human Resources Group Leader
- Head of Administration Department
- Fusion for Energy Director (Appointing Authority)
- Permanent representation of the expert's employer member state (data transmitted are limited to name, surname and the employer name only)
- SNE's employer

Also, if appropriate, access may be given to:

- Internal auditor: for audit purpose, any type of data they may require in that framework
- Court of Auditors: for audit purpose, any type of data they may require in that framework
- Court of Justice: any type of data they may require in that framework

**Date when processing starts:**

Date of receipt of CV

**Time limits for storage:**

The data will be stored for 10 years after the end of the secondment – in case of experts who have been seconded to Fusion for Energy. In case of potential experts who were eventually not seconded, data will be stored for 2 years after it turned out that the candidate will not be seconded.

After the allotted timeframe for retention of personal data has elapsed, Fusion for Energy may need to keep certain information for statistical purposes. In this case, any data permitting the identification of the SNE will be destroyed according to Article 4 of Regulation (EC) 45/2001.

**Right of access and rectification:**

SNEs have the right to access and rectify their data. They have the right to send updated CVs and rectify any incorrect or inaccurate data, by contacting the Human Resources officer in charge of SNEs or Data Controller.

Data subjects have also the right to obtain from Data Controller blocking or erasure of their data.

When a data subject contests the accuracy of his/her administrative data, the relevant data are immediately blocked for a period necessary for verifying the accuracy and completeness of the data, not exceeding 15 working days. When data subject requires data be blocked because s/he considers the processing unlawful or when s/he considers that data are no longer needed by F4E for the accomplishment of its tasks but have to be blocked for purpose of proof, F4E blocks the data as soon as possible and in any case not later than within 15 working days from the day the data subject's request reached F4E.

If a data subject requests data to be erased for s/he considers their processing unlawful, F4E erases the relevant data as soon as possible and in any case not later than within 15 working days from the day the data subject's request for erasure reached F4E.

Should the candidate have any queries, he/she may address them in writing to the Data Controller at the following address: [Resources-Controller@f4e.europa.eu](mailto:Resources-Controller@f4e.europa.eu) or to the Data Protection Officer at the e-mail address: [DataProtectionOfficer@f4e.europa.eu](mailto:DataProtectionOfficer@f4e.europa.eu).

Candidates have the right of recourse at any time to the European Data Protection Supervisor (EDPS): [edps@edps.europa.eu](mailto:edps@edps.europa.eu).