



**RECORD**  
**of processing activity**  
**according to Article 31 Regulation 2018/1725**

**NAME of data processing:**

Annual appraisal staff and Director

**Last update: May 2020**

1) Controller(s)<sup>3</sup> of data processing operation (Article 31.1(a))

- Controller: Organisational entity of Fusion for Energy (F4E)
  - Unit / Department **responsible**<sup>4</sup> for the processing activity: HR Unit
  - Contact: [HR-DataProtection@f4e.europa.eu](mailto:HR-DataProtection@f4e.europa.eu)
- Data Protection Officer (DPO): [DataProtectionOfficer@f4e.europa.eu](mailto:DataProtectionOfficer@f4e.europa.eu)

2) Who is actually conducting the processing? (Article 31.1(a))

The data is processed by F4E (responsible unit) itself .....

The data is processed by a third party (e.g. contractor) (Art. 29 – Processor) : .....

Contact point at external third party (e.g. Privacy/Data Protection Officer):

## 3) Purpose and Description of the processing (Article 31.1(b))

*Why is the personal data being processed? Specify the underlying reason for the processing and what you intend to achieve. Describe, summarise the substance of the processing.*

*When you (later on) intend to further process the data for another purpose, please inform the Data Subject in advance.*

The appraisal system aims at evaluating the staff members' and the Director's efficiency, abilities and conduct in the service.

## 4) Lawfulness of the processing (Article 5(a)–(d)):

*Mention the legal bases which justifies the processing*

Processing necessary for:

- (a) performance of tasks in the public interest attributed by EU legislation (including management and functioning of F4E) .....
- [Council Decision of 27 March 2007 “establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it” - 2007/198/Euratom, as last amended by Council Decision of 22 February 2021 \(2021/281 Euratom\), O.J. L 62, 23.02.2021, p.8, in particular Article 6 thereof;](#)
  - [Statutes annexed to the Council Decision \(Euratom\) No 198/2007 “establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it”, as last amended on 22 February 2021, in particular Article 10 thereof;](#)
  - [Staff Regulations of Officials \(SR\) and the Conditions of Employment of Other Servants of the European Communities \(CEOS\), in particular Article 43 of the Staff Regulations, the first paragraph of Article 44 and Articles 15\(2\) and 87\(1\) of the Conditions of Employment of Other Servants](#)
  - [Decision of the Administrative and Management Committee of the European Joint Undertaking for ITER and the Development of Fusion Energy on General provisions for implementing Article 43 of the Staff Regulations and implementing the first paragraph of Article 44 of the Staff Regulations for officials and temporary agents referenced \(F4E\(15\)-AMC-WP02\)](#)

- [Decisions of the Administrative and Management Committee of the European Joint Undertaking for ITER and the Development of Fusion Energy on General provisions for implementing Article 87\(1\) of the Conditions of Employment of Other Servants of the European Union implementing the first paragraph of Article 44 of the Staff Regulations for officials and temporary agents referenced \(F4E\(15\)-AMC-WP02\)](#)

(b) compliance with a *specific* legal obligation for F4E to process personal data.....

(c) necessary for the performance of a contract with the data subject or to prepare such a contract.....

(d) Data subject has given consent (ex ante, freely given, specific, informed and unambiguous consent) .....

**5) Description of the data subjects (Article 31.1(c))**  
*Whose personal data is being processed?*

- F4E staff members who, for a continuous period of at least one month during the reporting period, were in active employment or seconded in the interest of the service.
- F4E Director

**6) Categories of personal data processed (Article 31.1(c))**  
*Please give details in relation to (a) and (b). In case data categories differ between different categories of data subjects, please explain as well.*

**(a) General personal data – as they appear in the appraisal [form](#) - such as:**

1) For staff:

Factual data:

- Name, surname, personal number, category and grade, seniority in grade, job title
- Reporting officer’s and Appeal Assessor details: name and job title.
- Reporting officer by delegation (if applicable): name and job title
- Matrix manager (if applicable): name and job title

- The date of the dialogue which took place between the Reporting officer and the staff member (in case no dialogue took place: the reasons why)

Evaluation data:

- The self-assessment produced by the staff member
- Assessment of the staff member's efficiency, ability and conduct in the service
- Objectives for the current and following reference period Level of responsibilities and the principal languages used at work
- Assessment of career development & training and development needs
- Assessment of potential
- Assessment of ability to work at Administrator level (if applicable under the certification procedure)
- Overall general assessment of the staff member
- Assessment of managerial competencies (if applicable)
- Assessment of performance as satisfactory or unsatisfactory
- Assessment of managerial performance as satisfactory or unsatisfactory (if applicable)
- Staff member's decision on the appraisal report (approval without comment, approval with comments and the comments) or refusal of the report with the reasons explaining the refusal

In case of referral to Countersigning Officer (in case of unsatisfactory performance):

- Decision of the Countersigning Officer (CO) to confirm, complete or modify the report:
- in case the report is confirmed: the reasons for the decision should be explained;
- in case the report is completed or modified: the CO shall specify the section(s) of the report are affected and write the modifications.

In case of appeal:

- Decision of the Appeal Assessor (AA) to amend or maintain the report:
- in case the report is maintained: the reasons for the decision should be explained;
- in case the report is amended: the AA shall specify the section(s) of the report amended and write the amendments

➔ See template of report [here](#)

2) For the Director:

Factual data:

- Name, surname, personal number, category and grade, seniority in grade

- Reporting officers; details: name and job title

Evaluation data:

- The self-assessment produced by the Director
- Assessment of the Director's efficiency, competencies and conduct in the service
- Objectives for the current and following reference period and (if necessary) a training plan
- Overall assessment of the Director (satisfactory/unsatisfactory)
- Director's comments on the appraisal report (if any).
- Director's decision on the appraisal report (approval without comment, approval with comments and the comments), refusal of the report with the reasons explaining the refusal.

In case of appeal:

- Opinion of the Governing Board
- Decision of the Appeal Assessor (AA) to amend or maintain the report:
  - in case the report is maintained: the reasons for the decision should be explained;
  - in case the AA departs from the opinion of the Governing Board he/she shall justify this decision.

(b) **Sensitive personal data** (Article 10)

Not Applicable

7) Recipient(s) of the data (Article 31.1 (d)) – Who has access to the personal data?

*Recipients are all people to whom the personal data is disclosed ("need to know principle"). Not necessary to mention entities that may have access in the course of a particular investigation (e.g. OLAF, Court, EDPS).*

The following recipients have access to the personal data processed:

**Appraisal of staff**

- Process Owner; Head of HR Unit
- Human Resources officer(s) responsible for the appraisal exercises
- Reporting Officer
- Matrix manager where applicable
- Appeal Assessor
- Countersigning Officer

- Members nominated to the Joint Promotion and Reclassification Committee (including members nominated by the Staff Committee to deal with promotion/reclassification exercise)
- Commission representative of the Governing Board
- Human Resources Head of Unit
- Human Resources officer(s) in charge of the complaints procedures – please refer to the record on management of requests and complaints
- ICT Officer responsible for the dedicated database, if necessary for technical support
  
- **Appraisal of the Director:**
- Human Resources officer(s) in charge of appraisal exercises
- Human Resources Head of Unit
- Human Resources officer(s) in charge of the complaints procedures
- 2 members of the Governing Board nominated as Reporting Officers
- Chair of Governing Board as Appeal Assessor
- ICT Officer responsible for the dedicated database, if necessary for technical support.

Also, only if appropriate and necessary for monitoring or inspection tasks, access may be given to: F4E Director, Head of Admin, DPO and Anti-Fraud & Ethics Officer, Head and/or responsible officer of LSU, IAC, IDOC.

**8) Transfers to third countries or International Organizations (Article 31.1 (e))**

*If the personal data is transferred outside the EU, this needs to be specifically mentioned, since it increases the risks of the processing operation (Article 47 ff.).*

Data is transferred to third countries or International Organizations recipients:

Yes .....

No .....

If yes, specify to which country/IO:

If yes, specify under which safeguards and add reference :

- Adequacy Decision (from the Commission) .....
- Memorandum of Understanding between public authorities/bodies .....
- Standard Data Protection Clauses (from the EDPS/Commission) .....

- Binding Corporate Rules .....
- Others, e.g. contractual/agreements (subject to authorisation by the EDPS).....

Reference: Not Applicable

**9) Technical and organisational security measures (Articles 31.1(g) and 33)**

*Please specify where the data is stored (paperwise and/or electronically) during and after the processing. Specify how it is protected ensuring “confidentiality, integrity and availability”. State in particular the “level of security ensured, appropriate to the risk”.*

Security measures are implemented to ensure integrity, confidentiality and availability of information. The default provisions include backups, centralized logging, software updates and continuous vulnerability assessment and follow-up. Specific provisions resulting from the characteristics of the information system may lead into the implementation of encryption, two-factor authentication among others found relevant following a risk analysis

**10) Retention time (Article 4(e))**

*How long is it necessary to retain the data and what is the justification for this retention period? If appropriate, differentiate between the categories of personal data. If the retention period is unknown, please indicate the criteria for determining it.*

Reports are being kept in eAppraisal (for all staff as of 2010) and in the personal files (for the Director's reports, for all staff for the reports established prior to 2010 and for officials in case of transfer to another EU institution/body) for up to five years after termination of employment (or the last pension payment).

#### 11) Information/Transparency (Article 14-15)

*Information shall be given in a concise, transparent and easily accessible form, using clear and plain language.*

A Privacy Notice (PN) on the appraisal has been established ([F4E\\_D\\_267KZT](#)) and published on the F4ENet in the respective HR section and in the [Data Protection Register](#). The PN provides the information required under Articles 15 and 16 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 1247/2001/EC.