



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

NAME of data processing:

Certification Procedure

Last update: May 2020

1) Controller(s) of data processing operation (Article 31.1(a))

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

The European School of Administration provides for the compulsory training and processes personal data of the candidates. EPSO-EUSA-CERTIFICATION@ec.europa.eu

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 certification procedure allows officials, members of the Assistant function group with no career restrictions, to be appointed to an Administrator job and become members of the Administrator function group. Fusion for Energy shall select the officials who will be authorised to follow the compulsory training referred to in Article 45a.1 of the Staff Regulations and which enables them to apply to certification.

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).....
- [a. 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;](#)
 - [b. 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 articles 43 and 45a of the Staff Regulations.](#)
 - [Decision of the Governing Board of Fusion for Energy laying down the general provisions for implementing the certification procedure \(Article 45a of the Staff Regulations\) referenced F4E\(14\)-GB30-11.1a](#)
 - [Service Level Agreement between Fusion for Energy and the European School of Administration referenced F4E-2013-SLA-37.](#)
- (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).....

The candidate submits the application to the certification procedure on a voluntary basis and hence gives consent to the processing of his/her personal data for the purposes of the exercise.

5) Description of the data subjects (Article 31.1(c))

Whose personal data is being processed?

Staff members who apply to the exercise. The only eligible staff members are Fusion for Energy officials in grade AST5 and upwards who fulfil the following criteria:

- a) The official concerned must have seniority in grade 5 or above – excluding the ex-C/C* or ex-D/D* career paths – of at least three years
- b) One of their five most recent annual career development reports established under Article 43 of the Staff Regulations must state that the official has the potential required to take on the functions of an administrator.

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:**

Application form for the certification procedure:

- administrative data: surname, name, personal number, grade and career path
- language competencies
- level of education and training: title of the diploma, name of the authority which awarded it, level and date when it was obtained ; training attended, date and duration, description with the area of needs identified by Fusion for Energy
- professional experience (only the experience as official or temporary agent in European institutions or bodies shall be detailed): institution, period in active service, status and function group, job title, main functions and responsibilities, description with the area of needs identified by Fusion for Energy

- versatility: this is one of the criteria according to which the application is assessed. The candidate is invited to put forward elements of his/her career within European institutions, which demonstrate his/her versatility.
- motivation letter: the candidate is asked to add a letter explaining his/her motivation for applying to certification, in which s/he details how, in his/her view, s/he qualifies for such training.
- preferred certification training location: the training can take place in Brussels or Luxembourg. The candidate is asked to indicate his/her preferred option.
- date and signature of the candidate

Lists concerning candidates and corresponding to the outcome of the different stages of the procedure:

- first name, last name
- personal number and department of Fusion for Energy in which the candidate is working
- ranking (in comparison with other candidates and only if applying)
- candidates are also informed personally of the number of points and of their ranking (when applying)

Information requested by the European School of Administration and concerning only the officials authorised to follow the training:

- Personal number
- first name, last name
- office contact details
- language chosen by the candidate to follow the training

Information provided by the European School of Administration to Fusion for Energy and concerning only the officials authorised to follow the training:

- Personal number
- first name, last name
- number of days of absences occurred during the training period (so as to check entitlement of the candidate to special leave)
- result of the course (failed or passed)

This data is used to establish the list of officials entitled to apply to a vacant post in the function group AD, entitled to re-sit twice the tests (this is an option for the candidates who failed) as well as for invoicing purpose.

Evaluation sheet (on the candidate's application, to be filled by his/her Head of Unit):

- First name, last name
- description of the main responsibilities and duties
- opinion of the Head of Unit on the candidate's versatility, training and languages and general comment on the application
- priority order in comparison with other applications.

(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:

- Process Owner: Head of Human Resources Unit
- Human Resources officer in charge of the certification procedure
- Head of Administration Department
- Head of Unit of the candidate (only for pre-selected candidates)
- Joint Certification Committee (only in case of appeal)
- Appointing Authority (Director)
- Assistant to the Director
- Contact person in charge of the procedure at the European School of Administration
- ICT responsible officer in case of technical support
- IDM Manager in case of needed technical support.
- All F4E staff members (access to the list of successful candidates to the exercise published on Intranet)

Also, only if appropriate and necessary for monitoring or inspection tasks, access may be given to: Director, 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.

- Non-successful candidates to the certification (= non-admissible candidates and candidates admissible but not included in the final list of candidates authorised to follow certification): 2 years following the date of publication of the final list or until all appeal channels have been exhausted in case of appeal (including before the General Court).
- Candidates authorised to follow a certification training and who succeeded the training: their personal data will be stored until they are either attested or certified.
- Candidates authorised to follow a certification training but who failed or gave up on the training: 2 years following the date of publication of the list or until all appeal channels have been exhausted in case of appeal (including before the Civil Service Court).
- The decision by which the candidate is actually certified will be kept during the whole career of the staff member.

Fusion for Energy may continue to store Personal Data for a longer period, as may be necessary for internal auditing and for the establishment, exercise or defense of legal claims until such claims are finally resolved.

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 on the certification procedure has been established (F4E_D_2AJMUF) and published on the F4ENet in the respective HR section and in the [Data Protection Register](#), providing 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.