

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

**NAME of data processing:**

*H&S Management System – Procedure for the Health Surveillance (F4E\_D\_2DTJBD)*

**Last update: March 2020**

<b>1) Controller(s) of data processing operation (Article 31.1(a))</b>
<ul style="list-style-type: none"> <li>• Controller: Hans Jahreiss, Senior Manager responsible for Health &amp; Safety           <ul style="list-style-type: none"> <li>○ Unit / Department <b>responsible</b> for the processing activity: <i>H&amp;S Coordinator</i></li> <li>○ Contact: <a href="mailto:h&amp;sdataprotection@f4e.europa.eu">h&amp;sdataprotection@f4e.europa.eu</a></li> </ul> </li> <li>• Data Protection Officer (DPO): <a href="mailto:DataProtectionOfficer@f4e.europa.eu">DataProtectionOfficer@f4e.europa.eu</a></li> </ul>
<b>2) Who is actually conducting the processing? (Article 31.1(a))</b>
<p>The data is processed by F4E (responsible unit) itself ..... <input checked="" type="checkbox"/></p> <hr/> <p>The data is processed by a third party (e.g. contractor) (Art. 29 – Processor) : ..... <input type="checkbox"/></p> <p>Contact point at external third party (e.g. Privacy/Data Protection Officer):</p>
<b>3) Purpose and Description of the processing (Article 31.1(b))</b>
<p><i>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.</i></p> <p><i>When you (later on) intend to further process the data for another purpose, please inform the Data Subject in advance.</i></p>
<p>Personal Data are processed as a consequence of the implementation of the H&amp;S Management System, which comprehends the H&amp;S Policy (<a href="#">F4E_D_282GG4</a>) and the 8 H&amp;S Procedures developing it.</p>

The Procedure for Health Surveillance ([F4E D 2DTJBD](#)) establishes the process by which F4E shall provide health surveillance to F4E Staff. Personal Data shall be processed for preventive and occupational health purposes, as F4E shall offer staff members (data subjects) the possibility to undergo medical examinations tailored to the exposures and conditions of the workplace.

Medical examinations shall be performed by the occupational Medical Advisor. The outcome of the examination is to determine whether the staff member is fit to perform the tasks assigned by F4E. The Medical Advisor shall inform the H&S Coordinator whenever a staff member is not fit to perform the tasks assigned or when restrictions in the workplace or working conditions must be applied.

Medical data will always be kept by the Medical Advisor and shall not be shared with F4E.

#### 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;

- Council Directive of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (89/391/EEC), in particular Article 14 thereof;

- F4E Health & Safety Policy ([F4E D 282GG4](#)), in particular Article 14 thereof.

(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?*

All F4E staff members and seconded national experts (SNEs).

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.*

F4E shall offer Health Surveillance to all F4E Staff. The Medical Advisor shall adapt the medical examinations to the activities performed and the risks faced by the staff members. The H&S Coordinator shall provide the Medical Advisor with the individual Risk Assessments of F4E, which include the following information:

(a) **General personal data:**

- Name of the staff member; unit and/or department to which the staff member belongs; tasks carried out by the staff member; H&S related trainings undertaken; location (workplace) where the staff member performs his/her tasks.

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

The Medical Advisor performing the medical examinations shall have access to the medical data of the data subject. The Medical Advisor **shall not disclose** any medical data to F4E.

Type of medical data processed:

- Medical history, results of laboratory tests (blood and urine tests), X-rays, ECGs, results of any other medical examination (ophthalmic, audiometry, etc.).

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 general personal data processed:

- Senior Manager responsible for H&S
- H&S Coordinator
- Medical Advisor
- IDM Manager, if necessary for support,

- ICT officer responsible, if necessary for technical support.

In case the Medical Advisor considers that the data subject is not fit to perform the tasks assigned by F4E, the following recipients shall also have access to the general personal data:

- Line Manager
- Head of HR Unit
- Head of Department

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

The Medical Advisor shall be the only recipient with access to the sensitive personal data.

### 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.*

Administrative data shall be kept by F4E for a period of 30 years since the date in which the data was processed.

The Medical Advisor shall retain the medical data of F4E Staff for a minimum period of 5 years in accordance with *Ley Orgánica 3/2018, de 5 de diciembre, de Protección de Datos Personales y garantía de los derechos digitales (LOPD-GDD)*.

The Medical Advisor shall retain the medical data of radiation exposed workers for a period of 30 years in accordance with *Council Directive 2013/59/EURATOM of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation*.

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

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

Information shall be given through the corresponding Privacy Notice available to all F4E Staff and national experts seconded to F4E.