

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

NAME of data processing:

H&S Management System – Procedure for the Occupational Accidents / Incidents Investigation and Follow-up of Corrective Measures (F4E_D_2DTJDC)

Last update: March 2020

1) Controller(s) of data processing operation (Article 31.1(a))
<ul style="list-style-type: none"> • Controller: Hans Jahreiss, Senior Manager responsible for Health & Safety <ul style="list-style-type: none"> ○ Unit / Department responsible for the processing activity: <i>H&S Coordinator</i> ○ Contact: h&sdataprotection@f4e.europa.eu • Data Protection Officer (DPO): DataProtectionOfficer@f4e.europa.eu

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

3) Purpose and Description of the processing (Article 31.1(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 being processed as a consequence of the implementation of the H&S Management System, which comprehends the H&S Policy (F4E D 282GG4) and the 8 H&S Procedures developing it.</p>

The Procedure for the Occupational Accidents/ Incidents Investigation and follow-up of Corrective Measures ([F4E_D_2DTJDC](#)) establishes the process by which F4E shall investigate the accidents or incidents involving an F4E staff member and implement the corresponding corrective measures.

The H&S Coordinator or the F4E H&S Site responsables in Garching or Cadarache shall gather the information on the accident / incident in order to keep a list of all the eventualities in F4E and determine the implementation of the necessary measures to avoid future accidents / incidents.

The H&S Coordinator shall fill the *Accident / Incident Investigation Report* ([F4E_D_2JA796](#)) with the information collected from the investigation of the event.

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 9.1 thereof;

- F4E Health & Safety Policy ([F4E_D_282GG4](#)).

(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 and seconded national experts (SNEs) involved in an occupational accident / incident in F4E.

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.

The investigation of an accident / incident shall entail the collection of the following information by the H&S Coordinator or the F4E H&S Site Responsibles:

(a) General personal data:

- Surname/ name of the F4E staff member involved in the accident/ incident, years of employment in F4E, years in the workplace, unit/ job position of the staff member, personal protective equipment worn/ held by the staff member, training received.

(b) Sensitive personal data:

- Injuries suffered by the concerned data subject, if any. This personal data shall be processed by the Medical Advisor.

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:

- H&S Coordinator,
- Line Manager,
- Head of HR Unit,
- Head of Administration,
- F4E Director,

- Head of CSU (in case of accident/ incident in Barcelona HQ)
- Medical Advisor (in case of a staff member suffering an injury as a consequence of the accident/ incident)
- F4E H&S Site Responsibles (in case of a staff member suffering an injury in Cadarache or Garching).
- External H&S Officer (in case of a staff member suffering an accident/ incident in a working or visiting destination outside Barcelona HQ or permanent sites of Garching & Cadarache).
- IDM Manager, if necessary for support
- ICT officer responsible, if necessary for technical support.

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

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.

Records of the accidents / incidents shall be kept for a period of 5 years since the date in which the investigation is closed.

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.