

**RECORD**  
**of processing activity regarding the personal data of F4E Staff that are included a) in the PA Main document and b) in the ITA document according to Article 31 Regulation 2018/1725**

**NAME of data processing:**

Processing of Personal Data of F4E Staff that are included a) in the PA Main document and b) in the ITA document

**Last update: April 2021**

1) Controller(s) of data processing operation (Article 31.1(a))
<p><b>Controller:</b> ITER IO Unit / Department responsible for the processing activity: N/A Contact: <a href="mailto:info@iter.org">info@iter.org</a></p> <p><b>Data Protection Officer (DPO):</b> To be filled in once the Agreement with ITER IO is signed</p>
2) Who is actually conducting the processing? (Article 31.1(a))
<p>F4E acts as a Processor on behalf of ITER IO ("the Controller"). DPO at F4E: DataProtectionOfficer@f4e.europa.eu The data is processed in particular by the below departments:</p> <ul style="list-style-type: none"><li><input type="checkbox"/> The ITER-P Department: DataProtection-ITER-P@f4e.europa.eu</li><li><input type="checkbox"/> The Commercial Department: commercial-department-controller@f4e.europa.eu</li></ul>
3) Purpose and Description of the processing (Article 31.1(b))
<p>This record covers the processing of personal data of F4E Staff that are included in the Main of the Procurement Arrangements (PA); and in the ITER Task Agreements' (ITAs) templates.</p>

**Procurement Arrangements (PA)** are agreements that provide the legal basis and formalises the procurement packages between ITER IO and F4E in order to provide in-kind components to ITER IO for the ITER project. By signing PAs F4E commits to provide ITER IO with products that meet agreed requirements within the necessary legal basis, agreed schedule and allocated resources in F4E budget. The PA Main template is part of the mandatory documentation of the PA and it includes the identification of the designated:

- F4E Technical Responsible Officers (TROs) who shall be the official contacts for all communications between F4E and ITER Organisation under the PA; and
- F4E Responsible officers who will provide support to the TRO in achieving successful fulfilment of the requirements in key areas of the PA.

**ITER Task Agreements (ITA)** are design, analysis or research activities carried out on behalf of IO concerning components for which the maturity level to be reached before the related PA signature has not been achieved and whose development is allocated to a Domestic Agency. In those situations ITER IO may request F4E to carry out the remaining activities in order to reach the agreed level through these ITAs (direct assignment of a Task Agreement) or can issue a call for interest to all DAs (competitive Task Agreement), selecting then the best of the proposals. The Task Agreement template includes the identification of the F4E designated Technical Officer of the Task Agreement.

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

*Mention the legal bases which justifies the processing*

This processing is 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;

- (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?*

The data processing concerns the personal data of F4E staff designated as:

- Technical Responsible Officer for the Procurement Arrangement between F4E and ITER IO.
- Responsible Officer for the Procurement Arrangement between F4E and ITER IO.
- Technical Officer for the Task Agreement between F4E and ITER IO.

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.*

General personal data

The following data categories may be processed in PA Main document and the ITA signed between F4E and ITER IO:

- Name, function, business telephone number, business e-mail address.

Sensitive personal data (Article 10)

No sensitive data is processed.

7) Recipient(s) of the data (Article 31.1 (d))

*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, EO, EDPS).*

The following recipients can have access to the personal data processed:

- F4E and ITER IO staff participating in the preparation and signature of Procurement Arrangements and Task Agreements between F4E and ITER IO
- IT staff of F4E and ITER IO, only when requested to provide technical support.
- IDM Managers of F4E and ITER IO, if necessary for support

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, IAC, IDOC; and equivalent roles in ITER IO

#### 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:

F4E is the Euratom's Domestic Agency for ITER and therefore operates within the scope of the international treaty regulating the ITER Project. Staff of the ITER International Organisation (IO) may be involved in F4E's pre-procurement process. In such cases, IO Data Protection Policy shall cover the personal data.

ITER applies its corporate rules approved in ITER IDM on 7th November 2017 under ref. UXG6V6 [Data Protection Guidelines]. To access the guidelines contact: [itercommunications@iter.org](mailto:itercommunications@iter.org)

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

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.*

The retention period is defined in the F4E Specific Retention List is F4E Term. It is required to be able to know who was the responsible for each of the main subject matters of the PA in F4E, in case we need to come back to it during the construction, commissioning and decommission of the ITER Project. Once passing to the EC Historical Archives, the names are part of the text of the International Agreement and will be maintained as so.

11) Information/Transparency (Article 14-15)

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

Privacy Notice is in F4E registers on F4E Net and on F4E External Website.

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