



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

**NAME of data processing:**

Selection, internal mobility and job rotation

**Last update: June 2021**

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

- Controller: Organisational entity of Fusion for Energy (F4E)
  - Unit/Position of Process Owner / Department **responsible** 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):

A Framework Contract (FWC) between the European Maritime Safety Agency (EMSA) and Hudson Belgium NV (2018/EMSA/OP/5/2018) provides assistance, support and know-how for the purpose of the selection/recruitment of candidates to managerial functions/positions, in particular by developing and organising assessment sessions for functions/positions at middle management level. F4E is an EU Awarding Authority to the FWC.

A Framework Contract (FWC) between DIGIT (EU Commission) and “Insight Belgium” ([SIDEII.EU@insight.com](mailto:SIDEII.EU@insight.com)) (**SIDE-II FWC** reference number **DI/07722**) provides channel to purchase software and services and access to Software as a Service (SaaS) applications. SIDE-II is split into 2 Lots and **Test Reach** services are covered by Lot 2 – GroupS. F4E is an EU contracting authority to the FWC.

EPSO (European Personal Selection Office) processes some data related to the selection procedures in agreement with the Service Level Agreement concluded between F4E and EPSO (see reference in chapter 4 below).

### 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 purpose of the processing is to:

- Manage external selection procedures (including for middle managers) with the aim of establishing reserve lists of successful candidates; and selection procedures to recruit candidates from EPSO CAST reserve lists.
- Manage internal selection procedures (including for middle managers) with the aim of selecting one candidate for reassignment or appointment through internal mobility.
- Manage job rotation exercises through which interested staff may be moved to new roles without having to go through an internal selection procedure.

#### 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, in particular chapter II of the SR, Articles 27-32 of SR and :Articles 12 and 82 of the CEOS;](#)

[Service Level Agreement between F4E and EPSO dated 25th September 2007;](#)

[SOP on internal selections \(F4E\\_D\\_2KQZV7\)](#)

[SOP on external selections \(F4E\\_D\\_2KQYRZ\)](#)

[F4E Policy for the disclosure of names of Selection Committee members, \(Ref.: F4E\\_D\\_22ZB5G\), 31st October 2014;](#)

[Decision of the administrative and Management Committee of F4E on general implementing provisions governing the engagement and use of temporary staff under Article 2\(f\) of the CEOS \(15 October 2015, F4E\(15\)-AM-WP02\);](#)

[Decision of the Administration and Management Committee on the use and engagement](#)

[of contractual agents \(15 November 2019\);](#)

- [Decision of the Administration and Management Committee of F4E on middle management staff \(13 June 2018\).](#)
- Framework contract - [F4E D 2D32KN - F4E-2018-FW-113.03 - DI/07722 - SIDE II - SIGNED FWC - INSIGHT TECHNOLOGY SOLUTIONS](#)
- Framework contract - [F4E-2018-FW-110 EMSA Assessment Centres](#) (2DEPT2)

- (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?*

- Person who sends his/her application following the internal or external publication of a Vacancy Notice/published call for interest in job rotation.
- Person who is included in EPSO database (Contract Agents).
- Selection Committee Members

#### 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:**

##### **A. For the selection procedure (officials, temporary and contract agents positions)**

- Any additional information to the one listed below is provided at the initiative of the candidate

At the application stage for all:

- CV (a link towards the Europass CV is provided as an example to candidates). Any header can be deleted if considered not relevant
- Motivation letter, which can contain information related to identity, education background, work experience, information enabling the candidate to be contacted (postal and electronic address, phone, etc.)

For positions advertised for Officials only:

- In addition, at the application stage, officials shall provide proof of being an established official. A proof of seniority in grade and step also needs to be provided in case of internal publications being launched in relation to certified candidates

Selection committees for TA, CA and FO external selections

- Names of the members of the Selection Committees are disclosed by the HR Unit in the letters to all (shortlisted for interview and non-shortlisted) candidates. Only staff having given their prior consent to the disclosure of their name can be appointed as members of Selections Committees (see Declaration in Annex II).

#### **B. For selections based on EPSO database (for Contract Agents positions only)**

- CV retrieved from the EPSO recruiter portal

If candidates are selected for an interview for officials, temporary and contract agents positions:

- CV and motivation letter of the selected candidates.
- In the context of online video written test service, where applicable:  
An external contractor supports the F4E selection process and consists of a facility to remotely organise written tests to individuals online, with related video recording and storage. The service is provided by TestReach, contracted for that purpose and acting as a processor under the control of F4E;

As far as data management and processing are concerned, TestReach complies with Regulation 2016/679 (GDPR).

Candidates will find TestReach's Terms and Conditions Disclaimer on the platform that they are asked to agree on. TestReach is a Software as a Service (SaaS) provider of a unique cloud-based solution for running computer-based exams. The solution covers the end-to-end exam

process, with advanced functions for exam authoring, test assembly, delivery, marking, moderation & reporting. TestReach provides all exam delivery methods, including online and live remote invigilation.

In order to confirm the declarations made at the level of the application for officials, temporary and contract agents positions:

- Copy of ID document
- Copies of diploma
- Proof of professional experience
- Sworn declaration stating that the person is free from military obligations

For the reimbursement of the travel expenditure for officials, temporary and contract agents positions:

Personal data as contained in the:

- Reimbursement form
- Financial identification form (including bank statement if no bank stamp can be obtained)
- Legal entity form, copy of passport or identity card, invitation to interview letter (contains postal address).

If applicable: results of the pre-selection (assessment grid) and of the interview.

### **C. For the internal mobility procedure**

At the application stage:

- CV of the candidates
- Letter of motivation expressing the candidates' interest to apply
- Any additional information provided at the initiative of the candidate

At the interview stage:

- Candidates who are called for an interview shall be ready to provide, at the request of the Head of Unit launching the publication, all the relevant supporting documents declared in their application (diplomas, certificates)

### **D. For selections for middle managers**

Any additional information to the one listed below is provided at the initiative of the candidate.

At the application stage for all:

- CV (a link towards the Europass CV is provided as an example to candidates). Any header can be deleted if considered not relevant

- Motivation letter, which can contain information, related to identity, education background, work experience, information enabling the candidate to be contacted (postal and electronic address, phone, etc.).

**For the shortlisted to interviews:**

- Assessment centre report.
- Written test, where conducted remotely by an external contractor (TestReach)

Any additional information to the one listed above is provided at the initiative of the candidate.

**E. For the job rotation**

- CV

(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:

**A. Selection procedure (including selections for middle managers) and EPSO**

- Process owner: Head of HR Unit
- Human Resources officers in charge of selection
- Trainees assigned to the Human Resources unit may be asked to assist in the administration of the logistic aspect of selections
- Human Resources officers in charge of financial management
- Head of Administration Department
- Members, advisors and secretary of Selection Committee
- Assessment centre consultants (selection procedure for middle managers)
- For remote written tests, where applicable, data restricted to TestReach consultants, Human resources officer in charge of the selection procedure and selection committee.
- F4E Director, as member of selection panel in selections for middle managers
- Appointing Authority
- Finance officers (only for reimbursement purposes: bank details form and bank stamp or

statement, legal entity form, copy of passport or identity card and invitation to interview letter)

Names of members of Selection Committees are disclosed to candidates applying to the selection. In the case of a candidate being placed in a reserve list, the information may be passed on to the member of staff and the Head of Department who requests to recruit a candidate for a similar position.

#### **B. Internal publications in the context of the internal mobility scheme or internal selections for middle managers**

- Process owner: Head of HR Unit
- HR officer(s) dealing with the internal mobility exercise
- Trainees assigned to the Human Resources unit may be asked to assist in the administration of the logistic aspect of selections
- Head of Unit, or the manager concerned, who expressed the need for launching internal mobility procedure - Expert called by the Head of Unit, or manager concerned, who expressed the need for launching a call for expression of interest for the purpose of interviewing candidates
- Observer from the Staff Committee
- Assessment centre consultants (selection procedure for middle managers)
- For remote written tests, where applicable, data restricted to TestReach consultants, Human resources officer in charge of the selection procedure and selection committee.
- Director, as member of the selection panel in selections for middle managers
- The Appointing Authority has access to the reassignment request, which contains the name and surname of the candidate selected for the reassignment.

#### **C. Job rotation**

- Process owner: Head of HR Unit
- HR officer(s) dealing with the matter
- Director
- Heads of Department
- Managers of teams where potential swaps may occur

For A, B and C:

- IDM Manager, if necessary for support.



- ICT Officer responsible for the dedicated recruitment tool and electronic storage systems, 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 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 if 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.*

**A. External selection procedures**

Non-successful applicants (applicants not invited to interview and applicants invited to interview but not included in the reserve list): 2 years following the date of approval of the Selection Committee report by the Director.

Applicants included in the reserve list but not recruited: the data will be stored for the duration of the validity of the reserve list and for the 2 years following the expiry of the list's validity.

Successful candidates: the data will be stored for 10 years after termination of employment.

**B. EPSO**

EPSO candidates invited to interview: the above retention periods apply.

EPSO candidates not invited to interview: data handled during the selection are deleted immediately.

Data provided through F4E e-recruitment in the context of the F4E call of expression of interest by [candidates from EPSO CAST reserve lists remain](#) in the e-recruitment data base for 5 years in the interest of both the candidate and the institutions.

**C. Online written tests**

TestReach acts in accordance with the Data Controller's instructions (F4E). F4E will keep data as defined above.

All video data is held by TestReach for a period of 6 weeks after which is it deleted, unless specifically requested by the Examiner (F4E) to hold it for longer, for example in the case of an appeal process.

**D. Internal mobility procedure**

Staff members not invited to interview and not successful following the interview: 2 years following the date of notification to the staff member. Delay may be increased in case of appeal.

Applicant selected for the internal reassignment: 10 years as from the termination of employment or last pension payment

**E. Job rotation**

The information on interest for job rotation will be kept during the employment of the staff member and will be erased one year after departure.

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

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

The Vacancy Notices published by Fusion for Energy contain a data protection clause stating that applicants' personal data are processed as required by the applicable data protection regulation:

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 1247/2002/EC Text with EEA relevance.

The clause also refers to the Privacy Notice available on the Fusion for Energy intranet ([2LLAH6](#)) and a shorter PN referring only to external selections available on the website ([2LXPTF](#)). The [TestReach Privacy Policy](#) is also published both [internally](#) and externally.

In addition, the Privacy Notice (F4E\_D\_2LXPTF) is made available to candidates through the F4E Career Opportunities website and included in the relevant confidentiality and conflict of interest forms that Selection Committee members must complete, read and approve.

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(Based on template version F4E\_D\_2CLAA4 v1.7)