

RECORD
of processing activity¹
according to Article 31 Regulation 2018/1725²

NAME of data processing³:

Processing of personal data regarding additional H&S measures in the context of COVID-19

Last update: March 2021

1) Controller(s) ⁴ of data processing operation (Article 31.1(a))
<ul style="list-style-type: none"> • Controller: Organisational entity of Fusion for Energy (F4E) <ul style="list-style-type: none"> ○ Unit / Department responsible⁵ for the processing activity: Administration Department ○ 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)) ⁶
The data is processed by F4E (responsible unit) itself <input checked="" type="checkbox"/>
The data is processed by a third party (e.g. contractor) (Art. 29 – Processor) : <input checked="" type="checkbox"/>
Contact point at external third party (e.g. Privacy/Data Protection Officer): Gabinete SME: dpo@gsmep.com Centro de Examenes Medicos SA (Clinica Creu Blanca): rqp@creublanca.es Eulen SA: Secretaría General de Grupo EULEN; delegadoprotecciondatos@eulen.com

¹ Please consult the relevant **EDPS guideline** in your sector, if it exists: https://edps.europa.eu/data-protection/our-work/our-work-by-type/guidelines_en

² Regulation 2018/1725 of 23 October 2018 “on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data”. O.J 21.11.2018, L295/39.

³ **Personal data** is any information relating to an identified or identifiable natural person, i.e. someone who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity. This information may, for example, be the name, date of birth, a telephone number, biometric data, medical data, a picture, professional details, etc.
Processing means any operation or set of operations which is performed on personal data, whether or not by automatic means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

⁴ In case of more than one controller, see Article 28.

⁵ This is the unit that decides that the processing takes place and why.

⁶ Is F4E itself conducting the processing? Or has a provider been contracted?

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 objective of the processing of personal data is to implement a series of H&S measures in order to prevent the spread of COVID-19 within the organisation and protect the health of staff members, externals, visitors and partners at large.

“Externals” mean all persons working for F4E at F4E premises whose relationship with F4E is not governed by the Staff Regulations / CEOS staff (eg. Temporary agency workers, contractors staff, SNEs, trainees, etc.) who have access to F4E premises at any of its locations, work on site, are in physical contact with F4E staff).

“Visitors” mean all persons who, not being staff members or Externals, need of a Visitor badge to access F4E premises.

The following H&S measures involving the process of personal data have been implemented:

Temperature checks

In F4E Barcelona headquarters, security guards carry out a temperature check to those who access the building. Security guards' role is to control that nobody with a body temperature over 37 degrees access the premises. If the concerned person is a staff member or external, they will be requested to return home and contact the F4E Medical Advisor.

Access control to visitors

In order to allow traceability of all the persons accessing the F4E premises in Barcelona, Cadarache and Garching and monitor their close contacts, visitors will provide certain personal information to F4E before accessing its premises. (See section 6 for more details).

COVID-19 tests

In certain situations, staff members or externals will be requested by F4E or a third party to take a COVID-19 test. In particular, tests will be carried out in the following situations:

a) Missions

In the event the destination country requests a negative COVID-19 test result undertaken before entering its territory, the concerned F4E staff member will undergo a test and carry the mission only if the result is negative. If the result is positive, the mission will not take place and the concerned staff member will inform the F4E Medical Advisor.

In the event the staff member is diagnosed with COVID-19 or has COVID-19 symptoms during the mission, the processing of data is defined in the Privacy Record for the Sick Leave Procedure (F4E_D_2WHJ85).

b) Shuttle

Before taking the F4E shuttle between Barcelona and Cadarache, passengers will undergo an antigen test as a precautionary H&S measure. In the event the result is positive, the concerned staff member will be asked to return home and inform the F4E Medical Advisor.

c) Request by the F4E Medical Advisor or H&S Coordinator

In certain situations, the F4E Medical Advisor or the H&S Coordinator might request the performance of a COVID-19 test before a work-related activity or meeting. In case the result is positive, the concerned F4E staff member or external will return home and inform the F4E Medical Advisor.

Videosurveillance

For traceability purposes during the COVID-19 pandemic, the retention time of the video-surveillance material has been extended to 21 days and is automatically deleted after this period. This data process is governed by the Record concerning Videosurveillance (F4E_D_24ENL5)

Office reservation

With the only purpose of help ensuring that the occupancy rates are observed in the Barcelona building, staff members and external collaborators are requested to book their office before accessing the premises by using the BOOK MY DESK tool. This tool will allow managers ensure that the attendance in their units / teams does not exceed the maximum occupancy set by F4E management.

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 10 February 2015 (2015/224 Euratom), O.J. L 37, 13.2.2015, 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 10 February 2015, in particular Article 10 thereof;
- H&S Guidelines in Barcelona office (F4E_D_2N8MF7)
- Missions during the COVID-19 outbreak (F4E_D_2N8F5P)
- COVID-19 test requested by F4E (F4E_D_2PN477)
- H&S Shuttle Measures in the Context of COVID-19 Outbreak (F4E_D_2R8HWE)
- Additional H&S provisions for visitors in F4E Barcelona (F4E_D_2PC2UT), Cadarache (F4E_D_2PC2UT) & Garching (F4E_D_2PC2UT) premises during the COVID-19 outbreak.

(b) compliance with a *specific* legal obligation for F4E to process personal data⁷.....

⁷ The distinction between points (a) and (b) is that in point (a) F4E is given a task which requires the processing of personal data to fulfil it (e.g. staff appraisal), while in point (b), the legal basis directly requires F4E to process the personal data, without margin of implementation.

(c) necessary for the performance of a contract with the data subject or to prepare such a contract (*state which is the contract as basis for the necessary processing*)

(d) Data subject has given consent (ex ante, freely given, specific, informed and unambiguous consent)

Describe how consent will be collected and where the relevant proof of consent will be stored

Consent should be considered as the exception, applicable in the absence of another legal basis. In those cases, e.g. in the case of photos or subscription to newsletters, ensure that the request for consent is presented in an intelligible (clear and plain language) and easily accessible form, and complies with the requirements of Art. 7.

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

Whose personal data is being processed?

F4E staff members, externals, visitors, and any person accessing the F4E premises in Barcelona.

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:**

- Name of the staff member, external or visitor
- Email address, phone number and employer of the visitor
- Close contact with a COVID-19 case
- Mission destination of an F4E staff member
- Day of attendance in the Barcelona premises and office booked

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

- COVID-19 symptoms
- COVID-19 test result
- Body temperature

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:

Medical data:

- F4E Medical Advisor (Gabinete SME)
- F4E Nurse (Gabinete SME)
- The security guards when taking the body temperature of people accessing the F4E Barcelona premises (Eulen SA)
- Clinica Creu Blanca, when performing a COVID-19 test to an F4E staff member for work purposes

Administrative data:

- F4E Medical Advisor
- F4E Nurse
- H&S Coordinator
- The F4E staff member arranging a visit (not a mission) to Cadarache or Garching, as they are responsible for sending and receiving the 'Visitors entrance declarations' before the visit
- The F4E staff members and external collaborators in Barcelona, who have access to the BOOK MY DESK tool and can check the offices booked in the Barcelona building
- The security guards collecting the Visitors entrance declaration in Barcelona
- The CSU officer in charge of storing the Visitors entrance declarations in Cadarache and Barcelona
- The BA officer in charge of storing the Visitors entrance declarations in Garching
- 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: F4E Director, Head of Admin., Head of the Legal Service Unit and/or responsible Legal Officer, F4E Data Protection Officer and Anti-Fraud & Ethics Officer, 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).....
- Corporate Rules
- Others, e.g. contractual/agreements (subject to authorisation by the EDPS).....

Reference:

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 Visitors entrance declarations in Barcelona, Cadarache and Garching will be stored for a period of one month.

Videosurveillance material will be kept for the period defined Record concerning Videosurveillance (F4E_D_24ENL5)

The conservation period of medical data is maximum 30 years after the last medical document is inserted in the file in the light of the Article 4(1)(e) of the Regulation (EU) 2018/1725.

The Excel sheets of the BOOK MY DESK tool will be removed on a monthly basis.

11) Information/Transparency (Article 14-15)

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

A Privacy Notice will be published in F4E intranet and on F4E external website.

Beside a Privacy Statement posted on the wall in the reception area of Barcelona premises.