



PRIVACY NOTICE ON PERSONAL DATA PROTECTION REGARDING Management of Absences on Health Grounds - Sick Leave Procedure

The objective of this Notice is to inform you about the collection and processing of your personal data in line with the applicable Data Protection Regulation 2018/1725¹.

TABLE OF CONTENT

1. [Why does F4E process my personal data? Whose data is processed?](#)
2. [What is the justification for the processing?](#)
3. [Which data is F4E processing?](#)
4. [Who has access to my data?](#)
5. [How long does F4E store my data?](#)
6. [Does F4E intend to transfer my data to third countries or International Organizations?](#)
7. [What are my rights in relation to my data and how can I exercise them?](#)
8. [Contact details of the Data Protection Officer](#)
9. [Right of recourse](#)

1. [Why does F4E process my personal data? Whose data is processed?](#)

The data processing concerns:

- F4E Staff members,
- F4E staff members' spouses / partners, relative(s) in the ascending line and children - in case of special leaves on health grounds;
- relative(s) in the descending line, brother or sister - in case of family leave;
- Members of F4E staff members' households - in case of a contagious illness and mandatory leave on health grounds.
- Seconded National Experts (SNEs)
- Trainees.

The purpose of the processing is to manage absences of F4E staff on grounds of health issues or an accident:

- Sickness leaves;
- Mandatory leaves on health grounds;
- Special leaves in case of a serious illness of a relative in the ascending line, spouse/partner, child;
- Special leave in case of a very serious illness of a child; authorisation to spend a sick leave outside the place of employment;
- Special leaves to travel abroad for medical examinations or medical treatment; authorisation to work part time under the arrangements for medical part time;
- Opinions in some cases of parental and family leave when the seriousness of an illness or disability has to be assessed).

Data processing is necessary for the proper registration and notification of absences.

2. [What is the justification for the processing?](#)

Processing of your data is necessary for the performance of F4E tasks on the basis of the F4E founding instrument and/or other legal instrument adopted on the basis thereof or for compliance with a specific legal obligation F4E is subject to.

It is based on:

[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;

[Staff Regulations of Officials \(SR\) and the Conditions of Employment of Other Servants of the European Communities \(CEOS\), in particular:](#)

- Article Article 59 (1) and (5) and 60 of the Staff Regulations
- Article 57 of the Staff Regulations and Article 6 of Annex V thereto
- Articles 16, 59, 60 and 91 of the Conditions of Employment of Other Servants

[Decision of the Administration and Management Committee introducing implementing provisions on absences as a result of sickness or accident AMC05-14.2A](#)

[Data protection compliance declaration - ANNEX VII\(g\) of Framework contract reference F4E-AFC-0918 \(F4E D 2GTRLT\) signed with TEBEX on 05/12/2018 for the provision of a Medical controller.](#)

[Decision of the Governing Board on the Secondment of Experts to the Joint Undertaking for ITER and the Development of uson Energy](#)

[Traineeship scheme decision of the Director of Fusion for Energy, ref: F4E_D 3234EM, Title II Special Provisions for absence of a trainee due to illness.](#)

3. Which data is F4E processing?

(a) General personal data:

Administrative Data:

- Staff's name and surname,
- Staff's personnel number,
- Data subject's address during sick leave including telephone and fax numbers, mobile phone, e-mail, name of staff member's spouse / partner or relative in ascending line,
- Name of staff member's child and its date of birth,
- Name of the staff's household member,
- Name of staff member's relative in the descending line; brother or sister.
- Period when a staff member is unfit to work (starting and end dates of illness),
- Degree of incapacity, category of reasons for being unfit to work (sickness, accident, other), information if s/he has been hospitalised and the dates of hospitalisation (if any),
- Planned date for return to work, degree of reintegration,
- Information that the data subject (staff member) may be absent for a longer period of time, information of the return to work of the data subject (staff member) after longer absence and date thereof;
- Number of days to be spent out of the place of employment and days of travelling time (if a staff member requests for authorisation under Article 60 of the Staff Regulations),
- Opinion of the Medical Control Officer;
- Opinion of the Medical Control Officer for a special leave for a medical consultation or medical treatment abroad (date and time of a medical appointment abroad);
- Information on the need to stay with a sick relative between certain dates, information if a relative has been hospitalised and the dates of hospitalisation (if any),
- Information if absence is to be combined with annual leave,
- Opinion if the illness of a child / spouse / partner / relative in ascending line, descending line; brother or sister is serious/very serious in the case of a child and – when applicable – if it has chronic nature,
- Period when a staff member is required to be on a leave on health grounds,
- Measures proposed by Medical Control Officer when there are grounds for requiring them

(b) Sensitive personal data (Article 10)

Medical data

Health data obtained from a medical certificate or medical report related to the staff member and/or his/her relatives, the trainee or the SNEs.

4. Who has access to my data?

Administrative Data:

- Medical Control Officer - external service provider (see their [privacy policy](#))
- Human Resources officers dealing with leaves and absences
- Data subject's immediate superior
- Process Owner: Human Resources Head of Unit
- Head of Administration Department
- Heads of other Departments (in case of unjustified absence)
- Relevant Appointing Authority
- Another person internally may be consulted if deemed necessary by the Appointing Authority for a specified case
- External service provider in charge of issuing statistics on absences related to sickness or accident.
- ICT Officer responsible for the dedicated database, if necessary for technical support

Medical Data:

Medical Control Officer external service provider – only the Medical Control Officer receives medical certificates.

Also, for all the data (except medical data) only if appropriate and necessary for monitoring or inspection tasks, access may be given to: e.g. F4E Director, DPO and Anti-Fraud & Ethics Officer, Head and/or responsible officer of LSU, IAC, IDOC.

5. How long does F4E store my data?

Personal Data related to absences on grounds of health or accident (including medical certificates) are kept for 3 years.

The data may be kept for financial management purposes and the related retention periods are established in the dedicated [contract management record](#).

Fusion for Energy may continue to store Personal Data for a longer period, as may be necessary for internal auditing and for the establishment, exercise or defense of legal claims until such claims are finally resolved.

Retention time for the trainees' excel chart where the absence dates are noted, is 6 months following the departure of the trainee.

6. Does F4E intend to transfer my data to third countries or International Organizations?

F4E does not intend to transfer the personal data to third countries or International Organizations.

7. What are my rights in relation to my data and how can I exercise them?

You have the right to access your personal data, to correct any inaccurate or incomplete data, to request restriction or erasure, or to object to the processing, pursuant to Articles 14(3) and 17-23 of Regulation 2018/1725.

Any request to exercise one of those rights should be directed to the Controller (HR-DataProtection@f4e.europa.eu). Where you wish to exercise your rights in the context of one or several specific processing operations or files, please provide their description and reference(s) in your request.

Exceptions based on Article 25 of Regulation 2018/1725 may apply [See Governing Board Decision of 9 December 2019²]. In that case, the data subject shall be informed of the principal reasons for applying such restrictions.

8. Contact details of the Data Protection Officer

You may contact the Data Protection Officer (DPO) of F4E (DataProtectionOfficer@f4e.europa.eu) with regard to issues related to the processing of your personal data under Regulation 2018/1725.

9. Right of recourse

You have the right of recourse to the European Data Protection Supervisor (EDPS@edps.europa.eu), if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by F4E.

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¹ 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.
This Privacy Notice is in line with Article 14 and 15 of that Regulation (Principle of Transparency).