



PRIVACY NOTICE ON PERSONAL DATA PROTECTION REGARDING
Office automation and collaboration software tools by Microsoft (Office 365)

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 (EU) 2018/1725¹.

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1. Why does F4E process your personal data? Whose data is processed?

Personal data are processed to facilitate the execution of daily work by F4E staff, external insourced contractors' staff, and external parties whenever applicable.

The Microsoft Office 365 suite of applications includes, but is not limited to: word processing, electronic spreadsheet, e-mail, shared storage, collaboration and communication software tools.

F4E may also process your personal data asking you to authenticate via multi-factor authentication (MFA) if you access F4E systems using a non-F4E device (e.g. your personal laptop, mobile phone or tablet). In that case Microsoft will process your data on behalf of F4E.

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 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;

3. Which data is F4E processing?

(a) General personal data: Name; Family Name; e-mail address; office, and F4E mobile telephone numbers; office number; availability status; personal mobile telephone number if used for multi-factor authentication¹; unique application ID if Microsoft authenticator mobile app is used for multi-factor authentication

Any Personal Data collected from the users like, as an example, the one that may be contained in the text of an e-mail sent by means of the MS O365 tools.

(b) Sensitive personal data (Article 10)
Collected by F4E within the scope here covered: none

However, MS O365 tools may process sensitive data if the users provide it voluntarily, for example, by including it in the text of an e-mail sent by means of the MS O365 tools.

4. Who has access to your data?

The following people have access to all personal data listed at point 3 a. above:

- F4E DT Unit staff, namely the Operations group responsible for identity management and authentication based on Azure Active Directory.
- Staff working for external companies based in EU supporting the Operations group of F4E's DT Unit
 - Microsoft technical support and their sub-processors on a need-to-know basis and if requested by F4E Digital Transformation Unit.

The following people have access to the personal data listed at point 3 a. above except the data used for multi-factor authentication:

- Staff members
- External sourced contractors' staff (idem)
- Any external parties receiving e-mails, joining a conversation, invited to online meetings, specific Teams or similar

Also, only if appropriate and necessary, for monitoring or inspection tasks, access may be granted to:

- Director of F4E
- Head of Admin
- Head of the Legal Service Unit, and/or responsible Legal Officer

¹ Some of the eligible authentication methods require Microsoft to store the phone number used for the multi-factor authentication.

- F4E Data Protection Officer and Anti-Fraud & Ethics Officer
- IAC / IAS / IDOC / ECA

5. How long does F4E store your data?

Personal Data will be kept for a maximum of 2 years after closure of the account.

Please note that deletion or pseudonymization of Personal Data will not be performed for cases where content has left the boundaries of the individual user account. These includes:

- Personal Data in emails sent;
- Personal Data included in Teams group messages;
- Personal Data included in documents hosted outside the user-dedicated onedrive;
- Personal Data included in SharePoint online websites other than the user-dedicated website;

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

Yes. F4E will transfer your personal to Microsoft, a US based company. The transfer is protected by additional safeguards put in place by F4E. In particular Microsoft's processing of personal data is based on the Standard Contractual Clauses (SCCs) approved by the European Commission which require Microsoft to comply with their obligations under EU data protection law.

Microsoft stores the Personal Data in datacentres located in the European Economic Area / European Union.

Prior to transfer outside Microsoft's data centres located in the European Economic Area / European Union, personal data is pseudonymized.

Users of the Microsoft authenticator app, can avoid that personal data is transferred, by not activating the option "Send feedback". Only if this option is used logs containing email addresses, server addresses, or IP addresses will be sent to Microsoft and used for troubleshooting purposes. When using the other two methods, the phone number used to authenticate together with the name of its owner will be stored by Microsoft.

7. What are your rights in relation to your data and how can you 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 (EU) 2018/1725.

Any request to exercise one of those rights should be directed to the Controller (DP-ICT@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 (EU) 2018/1725 may apply.

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 (EU) 2018/1725.

9. Right to lodge a complaint

You have the right to lodge a complaint 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 (EU) 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).