

## **Specific Privacy Notice – Selections and Recruitments**

### **A specific privacy notice on personal data protection in relation to the selection and recruitment process of officials, temporary agents and contract agents**

Fusion for Energy processes the personal data in accordance with the *Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data* (the “**Regulation (EC) 45/2001**”). As laid down in Articles 11 and 12 of the Regulation (EC) 45/2001, Fusion for Energy provides candidates with the following information prior to their application:

#### **Identity of the Data Controller:**

Head of the Administration Department.

#### **Purposes of the processing operation:**

To organise selection procedures with the aim of establishing reserve lists of successful candidates in view of future recruitment or of filling a particular vacant position and to follow the administrative procedure to recruit successful candidates.

#### **Legal basis:**

- Council Decision 2007/198/Euratom of 27 March 2007 establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it, in particular Article 6 thereof;
- The Statutes annexed to the Council Decision 2007/198/Euratom of 27 March 2007 establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it, 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 Articles 27-34 (SR), 12-15 and 82-84 (CEOS) thereof.

### **Lawfulness of the processing:**

In accordance with Article 5 (a) of Regulation (EC) 45/2001, the processing of the personal data is necessary for the performance of Fusion for Energy tasks carried out in the public interest on the basis of the Fusion for Energy founding instrument and in the legitimate exercise of official authority vested in Fusion for Energy and in a third party to whom the data are disclosed.

In addition, with regard to the data provided in the selection and recruitment procedures on voluntary basis (see section "*Data Concerned*" below), the data subject gives an explicit consent for their processing, which constitutes a complimentary ground for lawfulness of data processing, notably with regard to sensitive data.

### **Data Concerned:**

The data of candidates registered for the selection.

Candidates are free to give their data on voluntary basis, although failure to respond with any further information requested will exclude the candidate automatically from the recruitment procedure.

### **Categories of data:**

- Identification details – information provided by the candidate to allow themselves to be identified and contacted by Fusion for Energy (e.g. surname, first name, date of birth, gender, address, email address);
- Selection criteria information – information provided by the candidate to distinguish their suitability and eligibility for the post advertised (e.g. nationality, education history, training and professional experience, languages spoken, commitments from the candidate to adhere to any security checks, other related details);
- Information provided by the candidate to support claims for the reimbursement of travel costs for interview or medical visits (e.g. passport details, bank account details) and documents to support other claims to which the candidates may be entitled to during the selection and recruitment process;
- Results of the pre-selection checks and/or interviews.

### **Recipients of the data processed:**

Information provided by the candidates for the selection procedure will be disclosed to the following:

- Human Resources Officers in charge of selection
- Human Resources Group Leader
- Head of Administration Department
- Members and Secretary of the Selection Committee
- Director of Fusion for Energy (Appointing Authority)

Also, if appropriate, access may be given to:

- Internal Auditor and the Court of Auditors (for audit purposes)
- Fusion for Energy Finance Officers (for reimbursement purposes)
- Legal Advisor of Fusion for Energy
- OLAF
- Court of Justice of the European Union
- European Ombudsman

In the case of a candidate being placed on a reserve list, the information may be passed on to the member of staff and their Head of Department who requests to recruit a candidate for a similar vacancy.

### **Date when processing starts:**

Date of receipt of application.

### **Time limits for storage:**

Fusion for Energy will store the applications for varying amounts of time depending on the outcome of each application:

*Successful candidates:* the data will be stored for ten years as of the termination of employment or as of last pension payment.

*Candidates included on a reserve list but not recruited:* the data will be stored for the duration of the validity of the reserve list and then for the two years following the expiry of the list's validity.

*Non-successful candidates:* the data will be stored for two years following the Appointing Authority's approval of the outcome of the selection procedure.

After the allotted timeframe for retention of personal data has elapsed, Fusion for Energy may need to keep certain information for statistical purposes. In this case, any data permitting the identification of the candidate will be destroyed according to Article 4 of Regulation (EC) 45/2001.

### **Right of access and rectification:**

Candidates have the right to access and rectify their data. They have the right to send updated CVs and Motivation Letters and rectify any incorrect or inaccurate data, by contacting the email address provided on the Vacancy Notice before the deadline for submission of the applications elapses. After the deadline for applications has elapsed, this right will be limited to the rectification of identification details and contact information only. In the case of e-recruitment, candidates are entitled to the same rights, but must use the online recruitment system.

Candidates have also the right to obtain from F4E blocking or erasure of their data.

When a candidate contests the accuracy of his/her data, the relevant data are immediately blocked for a period necessary for verifying the accuracy and completeness of the data. When data subject requires data be blocked because he/she considers the processing unlawful or when he/she considers that data are no longer needed by F4E for the accomplishment of its tasks but have to be blocked for purpose of proof, F4E blocks the data as soon as possible and in any case not later than within 15 working days from the day the candidate's request reached F4E.

If a candidate requests data to be erased for he/she consider their processing unlawful, F4E erases the relevant data as soon as possible and in any case not later than within 15 working days from the day the candidate's request for erasure reached F4E.

Should the candidate have any queries, he/she may address them in writing to the Data Controller at the following address: [Resources-Controller@f4e.europa.eu](mailto:Resources-Controller@f4e.europa.eu).

Candidates have the right of recourse at any time to the European Data Protection Supervisor (EDPS): [edps@edps.europa.eu](mailto:edps@edps.europa.eu).