



**PRIVACY NOTICE ON PERSONAL DATA PROTECTION REGARDING
 H&S MANAGEMENT SYSTEM – PROCEDURE FOR THE HEALTH SURVEILLANCE (F4E_D_2DTJBD)**

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.

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

The data processing concerns all F4E Staff and Seconded National Experts (SNEs).

Personal Data are processed as a consequence of the implementation of the H&S Management System, which comprehends the H&S Policy ([F4E_D_282GG4](#)) and the 8 H&S Procedures developing it.

The Procedure for Health Surveillance ([F4E_D_2DTJBD](#)) establishes the process by which F4E shall provide health surveillance to F4E Staff. Personal Data shall be processed for preventive and occupational health purposes, as F4E shall offer staff members (data subjects) the possibility to undergo medical examinations tailored to the exposures and conditions of the workplace.

Medical examinations shall be performed by the occupational Medical Advisor. The outcome of the examination is to determine whether the staff member is fit to perform the tasks assigned by F4E. The Medical Advisor shall inform the H&S Coordinator whenever a staff member is not fit to perform the tasks assigned or when restrictions in the workplace or working conditions must be applied.

Medical data will always be kept by the Medical Advisor and shall not be shared with 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 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;

Council Directive of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (89/391/EEC), in particular Article 14 thereof;

F4E Health & Safety Policy ([F4E_D_282GG4](#)), in particular Article 14 thereof.

3. Which data is F4E processing?

F4E shall offer Health Surveillance to all F4E Staff. The Medical Advisor shall adapt the medical examinations to the activities performed and the risks faced by the staff members. The H&S Coordinator shall provide the Medical Advisor with the individual Risk Assessments of F4E, which include the following information:

(a) General personal data:

Name of the staff member; unit and/or department to which the staff member belongs; tasks carried out by the staff member; H&S related trainings undertaken; location (workplace) where the staff member performs his/her tasks.

(b) Sensitive personal data (Article 10):

The Medical Advisor performing the medical examinations shall have access to the medical data of the data subject. The Medical Advisor shall not disclose any medical data to F4E.

4. Who has access to my data?

The following people have access to your personal data (on a need to know principle):

- H&S Coordinator
- Senior Manager responsible for H&S
- IDM Manager, if necessary for support,
- ICT officer responsible, if necessary for technical support.

Medical data:

- Medical Advisor

Also, 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
- F4E Data Protection Officer and Anti-Fraud & Ethics Officer

5. How long does F4E store my data?

Administrative data shall be kept by F4E for a period of 30 years since the date in which the data was processed.

The Medical Advisor shall retain the medical data of F4E Staff for a minimum period of 5 years in accordance with Ley Orgánica 3/2018, de 5 de diciembre, de Protección de Datos Personales y garantía de los derechos digitales (LOPD-GDD).

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 parties.

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, the Senior Manager responsible for H&S, at h&sdataprotection@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).

² [O.J., 10.02.2020, L 37/18](#).