

## **(SERVICES SPECIFIC) PRIVACY STATEMENT**

### **On "Grant management"**

#### **1. Introduction**

This (Service Specific) Privacy Statement explains the reason for the collection and processing of your personal data, the way we protect your personal data provided and what rights you may exercise in relation to your data (the right to access, rectify, block etc.).

The European Union (EU) institutions and bodies are committed to protecting and respecting the privacy of Applicants and Beneficiaries. The evaluation of proposals, management of funded actions as well as design, monitoring and evaluation of Research and Innovation Programmes and other EU Programmes and Initiatives by the EU institutions and bodies requires the processing of personal data and is therefore subject to Regulation (EC) No 45/2001<sup>1</sup>.

This (Service Specific) Privacy Statement concerns the processing operation named "Proposal evaluation, grant management and follow-up" in the context of Programmes and Initiatives managed by Directorates-General of the European Commission, and by the Executive Agencies and the Joint Undertakings of the Research family (hereinafter: the Controllers<sup>2</sup>): [‘List of Programmes and Initiatives’](#).

Applicants are the legal entities that apply for funding through the submission of proposals. Beneficiaries are the successful Applicants, i.e. participants in funded research projects.

#### **2. Why do we process your data?**

##### **2.1 Purpose of the processing**

The data you provide in your application forms is collected in order to allow the Controllers to evaluate your proposal and/or organisation, to award funding if your proposal is successful, to manage grant agreements<sup>3</sup> as well as to design, monitor and evaluate Research and Innovation Programmes and other EU Programmes and Initiatives by the EU institutions and bodies.

A limited subset of this information may be used by the Controllers for communication purposes, as per the rules of each call for proposals or contests for prizes.

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<sup>1</sup> 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 (OJ L8 of 12/01/2001).

<sup>2</sup> The Controller is the entity (here Directorate-General, Executive Agency or Joint Undertaking) which determines the purposes and means of the processing operations (cf. Article 2(d) of Regulation (EC) No 45/2001).

<sup>3</sup> This includes the follow-up of the publications generated by the projects, prizes, patents, etc.

In addition, some processing operations<sup>4</sup> might be performed only further to the unambiguous consent of data subjects (cf. section 3.3).

References made to the grants in this document apply by analogy to the prizes, unless otherwise indicated.

## **2.2 Lawfulness of the processing**

For the processing operations described hereof, and depending on each category of processing (cf. details in section 3), Articles 5(a)- public interest-, 5(c)- contractual purpose- or 5(d)- unambiguous consent- of Regulation (EC) No 45/2001 are applicable.

Furthermore, information provided may lead to an entry in the Early Detection and Exclusion System Database (EDES-Database) managed by the European Commission, in compliance with Regulation (EU, Euratom) 2015/1929 (the revised FR)<sup>5</sup>. Information exchanged within the EDES will be centralised in this database. The database shall contain information on economic operators that could represent a threat to the Union's financial interests, economic operators who are in one of the exclusion situations listed in Article 106 (1) and economic operators on which financial penalties are imposed (Article 106 (13) of the revised FR, in the form of cases created therein. The EDES foresees the right of economic operator to be informed of the data stored in the database upon its request to the Commission. The information contained in the database shall be updated, where appropriate, following a request for rectification or erasure of the data stored.

For more information, please visit:

[http://ec.europa.eu/budget/explained/management/protecting/protect\\_en.cfm#SAP](http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm#SAP)

## **3. Which data do we collect and process**

The Data Subjects are for instance Principal Investigators, Fellows, staff of Applicants/Beneficiaries with attributed roles in the proposals/projects (Primary Coordinator Contacts, Coordinator Contacts, Participant Contacts, Task Manager, Team Members<sup>6</sup>).

The data is collected directly and indirectly from the Data Subjects, and are necessary for entering into a contract with the successful Applicants.

In compliance with the relevant Article of the Grant Agreement<sup>7</sup>, the Applicant/Beneficiary who provides the personal data of their staff to the Controller shall first provide their staff with the related (Service Specific) Privacy Statement before transmitting their data the Controller.

Personal data, collected and necessary for the purposes for which they were provided, are not retained by the Controllers if they become irrelevant.

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<sup>4</sup> For instance publication of some personal data, within the scope of the Partner(s) Search and Anonymous Contact functions of the Participant Portal.

<sup>5</sup> Regulation (EU, Euratom) 2015/1929 of the European Parliament and of the Council of 28 October 2015 amending Regulation (EU, Euratom) No 966/2012 on the financial rules applicable to the general budget of the Union (OJ L 286, 30.10.2015).

<sup>6</sup> Terms used by the Participant Portal. Read more in the [Online Manual](#).

<sup>7</sup> E.g. Article 39.2 of the Horizon 2020 MGA, or Article 23.2 of the CHAFEA MGA, etc.

### **3.1 Identification and contact data**

Personal data is collected via the [Participant Portal](#) (PP) that offers online electronic services such as proposal submission and online registration of legal entities.

'[List of identification data](#)' collected via the [Participant Portal](#).

General remarks of the Controller:

- Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health or sexual orientation may be received only in as much as these data appear spontaneously in the CV provided by the data subjects. Those data are not processed during the management of the call or the execution of the agreement, since they are not pertinent.
- The address, city, country, telephone and fax numbers, bank account numbers as well as e-mail addresses provided in the proposal are usually the professional ones related to the legal entity submitting the application. Thus, as a general rule (with the exception of cases where the applicant is a natural person), private addresses or bank account numbers etc. are not processed<sup>8</sup>.

### **3.2 Proposals retained for possible funding and Grant management**

In addition to the data of section 3.1, further data are collected and further processed for successful proposals with the aim of contracting the Grant Agreements.

'[List of Grant preparation data](#)' collected for successful proposals.

### **3.3 Data processed only further to the unambiguous consent of the data subject (*opt-in*)**

In accordance with Articles 11-12 and 5(d) of Regulation (EC) No 45/2001, the data subjects will be duly informed in advance about the foreseen purpose(s), legal basis, data, recipients, retention policy and related provisions of the processing at stake. No such processing will be implemented until the data subject has provided his/her unambiguous consent to the Applicant/Beneficiary in compliance with Article 5(d) of Regulation (EC) No 45/2001.

The consent could be provided through the signature of a declaration of agreement (kept by each Applicant/Beneficiary and provided to the Controller if there is a need for verification) or through an opt-in<sup>9</sup> on the Participant Portal or any other front-end IT.

For each category of processing operations requiring prior-consent, the data subjects who have opted-in are free to withdraw their consent at any time.

Cf. the [List of processing operations requiring opt-in of the data subject](#)'.

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<sup>8</sup> For the purposes of the ERC actions, this exception applies to the Principal Investigator.

<sup>9</sup> A box to be ticked/unticked by the data subject or his/her representative.

### **3.4 Publication of the identification and contact details of roles in projects**

For funded actions, a limited subset of personal data might be published on CORDIS portal/Europa/other dedicated Internet website/disseminated by any other means:

- Identity of Principal Investigators and the Main Host institution contact (ERCEA Grants);
- Identity of the Researchers/Fellows (for Marie Skłodowska-Curie actions), Supervisor;
- Personal names and contact details of the administrative contacts of the beneficiaries of Horizon 2020 grants.

### **3.5 Marie Skłodowska-Curie Actions (MSCA)**

Within the scope of Marie Skłodowska-Curie Actions (MSCA), the following personal data are collected and further processed concerning the research Fellows:

- Identification and contact data: family name, birth family name, first name, title, gender, location of origin, date of birth, nationality, address(es), phone number(s), e-mail, fax number(s);
- Data relating to education: university degree and date of award, doctorate expected before the deadline and expected date of award, doctorate and date of award, full time post-graduate research experience and number of months, other academic qualifications and date of award, data concerning employment period within the funded project (start and end dates);
- Other personal data: places of residence during the previous five years;
- Eligibility related data for Marie Skłodowska-Curie integration actions;
- Picture/photo (not mandatory, if provided by the Fellow).

### **3.6 ERC – Frontier Research Actions**

Within the scope of the evaluation phase of ERC Frontier Research Actions, additional personal data are collected for Principal Investigators (PIs):

- Identification and contact data: family name, birth family name, first name(s), title, gender, country and town of birth, country of residence, location of origin, date of birth, nationality, address(es), phone number(s), e-mail, fax number(s);
- Academic and research record of the Principal Investigator;
- Copy of PhD document (for Starting and Consolidator Grants), data on any significant career breaks (for career stage extension) and data on children, military service and/or statutory service of the Principal Investigator (to justify career breaks);
- Health data (only upon unambiguous consent): medical certificates (for career stage extensions) of the Principal Investigator or a close family member;

Further personal data may be processed concerning the scientific staff members of a project team for statistical studies, impact evaluation of the programme, or improvement of the administration of funding schemes. These data are:

- Identification and contact data: Last name, first name, gender, nationality, staff category, year of birth, affiliation and e-mail;
- Academic and research records.

#### **4. How long do we keep your data?**

##### **4.1 Normal categories of data**

For information on beneficiaries receiving EU funding, personal data (in electronic and/or any other format) is retained for 10 years after the closing of the action.

Personal data related to unsuccessful proposals are kept for up to 5 years after the closure of the call for which the data have been collected or updated, or, concerning calls with multiple cut-offs, for up to 5 years after the date of the cut-off following the submission of the proposal. This applies also to data contained in previous outdated versions of proposals and in withdrawn proposals.

Anonymous or encrypted data can be retained for a longer period and further processed for historical, statistical, or scientific purposes, in accordance with the procedures established by the data controller.

##### **4.2 Special categories of data**

Should you provide the Controller with an extract of your judicial records, it would not be kept for more than two years following the accomplishment of the particular procedure.

In any case, personal data contained in supporting documents are deleted where possible when these data are no longer necessary for budgetary discharge control and audit purposes<sup>10</sup>.

#### **5. How do we protect your data?**

All data in electronic format (e-mails, documents, uploaded batches of data etc.) are stored either on the servers of the European Commission or of its contractors; the operations of which abide by the European Commission's security decision of 16 August 2006 [C(2006) 3602] concerning the security of information systems used by the European Commission;

Access rights and controls are secured via the ECAS (European Commission Authentication Service) granted to persons authorised to get access to specific documents (call management, grant management, etc.).

All stakeholders involved in the evaluation and granting process are reminded to use the personal data received only for the purpose for which they were transmitted and to disregard all irrelevant and excessive data received with the proposals.

The personal data is stored in databases that reside on the Controllers' servers, the operations of which abide by the European Commission's security rules and provisions established by

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<sup>10</sup> In the case of the ERCEA, in addition to the budgetary discharge control and audit purposes, it is also necessary to take into account the need to check for compliance with the ERC work programme provisions.

the Directorate-General of Human Resources and Security that are continuously updated and revised.

Finally, the Commission's contractors established in the EU are bound by a specific contractual clause for any processing operations of your data on behalf of the Commission, and by the confidentiality obligations deriving from the transposition of Directive EC/95/46<sup>11</sup> as repealed by Regulation (EU) 2016/679<sup>12</sup>.

## **6. Who has access to your data and to whom is it disclosed?**

Recipients in the EU institutions and bodies are reminded of their obligation to process the personal data provided to them only for the purposes for which they were transmitted [Article 7(3) of the Regulation (EC) No 45/2001].

Please refer to the '[List of recipients](#)'.

The detailed description of the processing operations relating to financial controls and external audit for Research projects are described in the notification [DPO-3852](#) of the Directorate-General for Research and Innovation, published in the register of the European Commission Data Protection Officer (<http://ec.europa.eu/dpo-register>). The (Service Specific) Privacy Statements of the Controllers for external audit and control are published on the Participant Portal ([http://ec.europa.eu/research/participants/portal/desktop/en/support/legal\\_notices.html](http://ec.europa.eu/research/participants/portal/desktop/en/support/legal_notices.html)).

## **7. What are your rights and how can you exercise them?**

According to Regulation (EC) No 45/2001, you are entitled to access your personal data and rectify/block or erase them in case the data is inaccurate or incomplete. You can exercise your rights by contacting the data Controller (cf. 8) or directly access the Participant Portal or the relevant Joint Undertaking's IT application.

In case of conflict you can contact the Data Protection Officer of the relevant Controller, and if necessary the European Data Protection Supervisor (cf. 8).

'[Detailed information](#)' regarding access to/review of your personal data.

## **8. Contact information**

If you have comments or questions, any concerns or a complaint regarding the collection and use of your personal data, please feel free to contact the relevant Data Controller or his/her Processor(s) by using the '[Contact information list](#)'.

For specific information on data protection, you may also contact the Data Protection Officer

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<sup>11</sup> Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23/11/1995).

<sup>12</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (Text with EEA relevance) (OJ L 119, 4.5.2016).

(DPO) of the relevant Controller. The list and contact details of DPOs are provided in the '[Contact information list](#)' referred to hereof.

Preferably after a first contact with your Controller, in particular in case of conflict, but at any time, you have the right of recourse to the European Data Protection Supervisor (EDPS): [edps@edps.europa.eu](mailto:edps@edps.europa.eu).

## **9. Where to find more detailed information?**

The Commission Data Protection Officer publishes the register of all operations processing personal data. You can access the register on the following link: <http://ec.europa.eu/dpo-register>

This specific processing has been notified to the DPO of each Controller.

### **Annexes:**

- [List of programmes and initiatives](#)
- [List of identification data](#)
- [List of Grant preparation data](#)
- [List of processing operations requiring opt-in of the data subject](#)
- [List of recipients](#)
- [Detailed information \(regarding access to/review of your personal data\)](#)
- [Contact information list](#)