

## PRIVACY STATEMENT

### **‘Grant management and registration/validation of participants’**

#### **1. Introduction**

The European institutions and bodies are committed to protecting and respecting your privacy in compliance with Regulation 2018/1725 (hereinafter referred to as ‘the Regulation’).

One of your rights under this Regulation is that you must be informed when your personal data - also known as personal information - is processed (collected, used, stored) by any EU organisation. You also have the right to know the details and purpose of that processing.

On these pages you will find information about the processing of personal data in the context of "Selection of proposals and management of grants" by EU institutions and bodies acting as Joint Controllers. The evaluation of proposals, the management of funded actions as well as the 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 in compliance with the Regulation.

Contact information for each Joint Controller in line with their respective programme(s) of competence relating to the collection and further processing of personal data is provided in section 8 (see Annex [‘Contact information list’](#)).

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

#### **2. Whose personal data do we process?**

This privacy statement concerns the following categories of data subjects:

- Concerned staff of Applicants: the legal entities that apply for funding through the submission of proposals for grants or prizes.
- Concerend staff of Beneficiaries: the successful Applicants, i.e. participants in funded projects.
- Crew of audiovisual productions (for the Media sub-Programme managed by EACEA).
- Other third parties such as participants in events organised by the beneficiaries (EACEA).
- For Participant Register purposes (Participant Identification Code (PIC) central registration and validation purposes): (i) natural persons who are participants to EU tenders / grants / prizes; or (ii) natural persons who represent or act in or have a certain role on behalf of the legal entities participant[-s/-ing] to EU tenders / grants / prizes.

This includes, for instance, Principal Investigators, Fellows, staff of Applicants/Beneficiaries with attributed roles in the proposals/projects (Primary Coordinator Contacts/Supervisors, Coordinator Contacts, Participant Contacts, Task Manager, Team Members, self-registrants, prize winners, Legal Representatives (LRs), Legal Entity Appointed Representatives (LEARs), account administrators, natural persons as participants in their personal capacity,

natural persons who are owners or governing body members of the participants etc. See full list of roles in the Terms and conditions of the Funding & Tenders Portal<sup>1</sup>.

The data is collected directly and indirectly from the data subjects. In compliance with the relevant Article of the Grant Agreement<sup>2</sup>, the Applicant/Beneficiary who provides the personal data of their staff or a third party to the Joint Controller shall first provide them with this privacy statement.

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

#### **3.1. Purpose of the processing**

Purposes of the processing: validation of legal existence & status and (in some cases) financial capacity assessment and ownership/control structure assessment of recipients of EU funds, proposal evaluation, grant management and follow-up, dissemination and exploitation of research projects' results.

This includes:

- Evaluation of proposals;
- Award of funding if the proposal is successful;
- Management of grant agreements, including the follow-up of the publications generated by the projects, prizes, patents, etc.;
- Communication activities and networking<sup>3</sup>, as per the rules of each call for proposals or contest for prizes;
- Design, monitoring and evaluation of Research and Innovation Programmes and other EU Programmes and Initiatives by the EU institutions and bodies;
- Participant (applicants, candidates and tenderers) registration and validation: the verification that the entity exists as a legal entity and that its legal data is correct (legal form, address, etc.), the verification of certain special legal statuses that are used in EU funding programmes;
- The assessment of financial capacity and ownership / control structure of participants (applicants, candidates and tenderers) - under certain circumstances and based on a risk assessment of the Authorising Officer.

Your personal data may also be processed for the purposes of the Early Detection and Exclusion System Database (EDES-Database) managed by the European Commission, in compliance with the Financial Regulation<sup>4</sup>. Information exchanged within the EDES is centralised in this database. The database contains information on economic operators that could represent a threat to the Union's financial interests, on economic operators who are in one of the exclusion situations listed in Article 136(1) of the Financial Regulation and on economic operators on which financial penalties are imposed (Article 138). The EDES

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<sup>1</sup> Terms used by the Funding & Tenders Portal. Read more in the Online Manual.

<sup>2</sup> E.g. Article 15.2 of the Corporate MGA.

<sup>3</sup> For instance, networking among beneficiaries, as well as among fellows/researchers/staff members (including coordinators and supervisors) through the implementation of alumni services.

<sup>4</sup> Regulation (EU, Euratom) no 2018/1046 of the European Parliament and of the Council of 18/07/2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2011, (EU) No 1301/2013 (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision N541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012

foresees the right of the person concerned to be informed of the data stored in the database upon their request to the Commission. The information contained in the database is updated, where appropriate, following a request for rectification or erasure or any modification of data. For more information, please visit:

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

### **3.2. On what legal ground(s) do we process your personal data?**

Depending on each category the processing is necessary and lawful under:

- Article 5(1)(a) of the Regulation (processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body);
- Article 5(1)(b) of the Regulation (processing necessary for compliance with a legal obligation to which the controller is subject);
- Article 5(1)(c) of the Regulation (processing necessary for the performance of a contract to which the data subject is a party);
- Article 5(1)(d) of the Regulation (explicit consent of the data subject).

The consent could be provided through the signature of a declaration of agreement (kept by each Applicant/Beneficiary and provided to the Joint Controller if there is a need for verification), through an opt-in on the Funding & Tenders Portal or through any other means.

You may withdraw your consent at any time.

Cf. the '[List of processing operations requiring prior consent of the data subject](#)'.

### **4. Which data do we collect and process?**

The following personal data are collected and processed:

#### **4.1. Identification and contact data**

Personal data is collected via the [Funding & Tenders Portal](#) (F&T Portal).<sup>5</sup>

'[List of identification data](#)' collected via the [Funding & Tenders Portal](#).

General remarks of the Controllers:

- Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health or sexual orientation may be received only inasmuch 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 (except for health data in MSCA Special Needs Lump sum call, where this has an effect on the funding);
- 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

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<sup>5</sup> EACEA is currently onboarding in the F&T Portal. Therefore, while it processes the same type of data, this may be done for some calls for proposals through other IT tools.

legal entity submitting the application. Thus, as a general rule (with the exception of cases where the applicant is a natural person or when self-registrant or account administrator submit their contact details), private addresses or bank account numbers etc. are not processed<sup>6</sup>.

#### **4.2. Proposals retained for possible funding and Grant management**

For successful proposals, personal data are collected and further processed for the purposes of Grant Agreement preparation and management. For more details please refer to the '[List of Grant preparation and management data](#)'.

#### **4.3. 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/Recruited Researchers/Seconded Staff Members:

- 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).

Further health-related documentation, when needed in the context of MSCA Special Needs Lump Sum, may be requested.

#### **4.4. 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;

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<sup>6</sup> For the purposes of the ERC actions, this exception applies to the Principal Investigator.

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.

#### **4.5. EACEA**

EACEA may process personal data of third parties i.e. data subjects other than the beneficiaries' staff in order e.g. to verify the number of participants in events organised by the beneficiaries. In that case information such as participants' lists to the events may be required.

For the Media sub-Programme, EACEA may have to process personal data relating to the crew of audiovisual productions (e.g. name and nationality).

#### **4.6. Financial Controls and Audits**

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 privacy statements of the Controllers for external audit and control are published on the [Funding & Tenders Portal](#).

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

The Controllers only keep your personal data for the time necessary to fulfil the purposes described above of collection or further processing.

For each category of data subjects concerned, please find below the retention details in line with the applicable Commission Retention list:

- For beneficiaries receiving EU funding, personal data is retained for 10 years after the end of the year following closure of the action.
- Pursuant to Article 4(1)(e) of the Regulation, and subject to the implementation of appropriate safeguards in accordance with Article 13, we may retain limited categories of personal data of beneficiaries for scientific research and/or statistical purposes for up to 25 years<sup>7</sup>, unless you exercise your right to object under Article 23 of the Regulation;
- For unsuccessful applicants, personal data are retained for up to 5 years after the closure of the call for which the data have been collected or updated<sup>8</sup>. For calls with multiple cut-off dates, personal data are retained for up to 5 years after the date of the cut-off following the submission of the proposal. Pursuant to Article 4(1)(e) of the

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<sup>7</sup> Identification (title, name, surname or Researcher ID, when provided) and contact details (e-mail) of scientific staff of beneficiaries

<sup>8</sup> For EACEA it is 5 years following adoption of the award decision.

Regulation, and subject to the implementation of appropriate safeguards in accordance with Article 13, we may retain limited categories of personal data of unsuccessful applicants for scientific research and/or statistical purposes for up to 25 years<sup>9</sup>, unless you exercise your right to object under Article 23 of the Regulation;

- For Participant Register operations (i.e. participant registration and legal and financial validation), personal data is kept for 10 years from the end of the year of the last financial transaction<sup>10</sup> (e.g. payment, recovery order, etc) of the participant's last legal commitment (e.g. grant agreement, procurement contract, prize agreement) or from the end of the year when the participant last interacted with its profile in Participant Register (messages, uploading documents, etc)
- If an audit has started before the end of the above mentioned periods, EACEA keeps the personal data until the end of the audit.

Should you provide the Controller with an extract of your judicial records, it would not be kept for more than two years following the closure 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>11</sup>  
<sup>12</sup>.

## **6. How do we protect and safeguard 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.

All processing operations are carried out pursuant to the Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission.

The Commission's contractors are bound by specific contractual clauses and confidentiality clauses for processing operations of your data on behalf of the Commission, and by the confidentiality obligations deriving from the General Data Protection Regulation in the EU Member States ('GDPR' Regulation (EU) 2016/679).

In order to protect your personal data, the Controllers have put in place a number of technical and organisational measures. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of each processing operation.

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<sup>9</sup> Identification (title, name, surname or Researcher ID, when provided) of scientific staff of applicants

<sup>10</sup> In EU accounting terms: from the end of the year of the Final Date of Implementation (FDI) in accounting system.

<sup>11</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.

<sup>12</sup> In the case of EACEA, after the periods mentioned in point 5 have elapsed, the files containing personal data are sampled to be sent to the historical archives of the Commission for further conservation. The non-sampled files are destroyed.

Access rights and controls are secured via the EU Login 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 purposes for which they were transmitted and to not further process any irrelevant and excessive data received with the proposals.

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

Access to your personal data is provided to authorised staff of the Controllers responsible for carrying out each processing operation based on the necessity and data minimisation principles. Such staff abide by statutory, and when required, additional confidentiality agreements.

For more information please refer to the '[List of recipients](#)'.

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

You have the right to access your personal data, the right to rectify them, if necessary, and/or to restrict its processing or erase them, if applicable. You are also entitled to object to the processing of your personal data, where applicable.

If you would like to exercise your rights under the Regulation, if you have comments, questions or concerns, regarding the collection and use of your personal data, please feel free to contact the Controllers as explained in section 9 below.

You can at any time directly access or rectify your personal data in the F&T Portal online. You may also change your EU Login password which allows you to login to the system and update your personal information contained in your profile.

For more information please refer to the '[Detailed information regarding access to and review of your personal data](#)'.

You may contact the Data Protection Officer of the Controller and, if necessary, the European Data Protection Supervisor with regard to issues related to the processing of your personal data under the Regulation.

## **9. 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 Controllers by using the '[Contact information list](#)'.

### **Annexes:**

- [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](#)