



European Research Council
Executive Agency

Established by the European Commission

RECORD OF PERSONAL DATA PROCESSING

Art. 31 of the REGULATION (EU) 2018/1725 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (henceforth the "Data protection regulation")

Record n°

DPO 10 - 2019

In accordance with Article 31 of the data protection regulation, individuals whose personal data are processed by the Executive Agency in any context whatsoever are to be protected with regard to the processing of personal data and the Executive Agency has to keep records of their processing operations.

This record covers two aspects:

1. Mandatory records under Art 31 of the data protection regulation (recommendation: make the header and part 1 publicly available)
2. Compliance check and risk screening (initial; part 2 is internal only to the Agency, not published)

The ground for the record is (tick the relevant one):

- Regularization of a data processing operation already carried out
- Record of a new data processing operation prior to its implementation
- Change of a data processing operation.
- Migration to record.

Transfer of personal data to the ERC Scientific Council

Transfer of personal data to the ERC Scientific Council		
1	Last update of this record if applicable	Ares(2012)1109832 - 25/09/2012
2	Short description of the processing	<p>Providing personal data to the ERC Scientific Council for the performance of the tasks entrusted to the Scientific Council by the Horizon 2020 EU legislation following a request of data, documents or information from the Scientific Council.</p> <p>The ERC Executive Agency (ERCEA), as the ERC dedicated implementation structure, shall provide the ERC Scientific Council with all the documents, data and assistance necessary for its work, in compliance with the EU legislation on the protection of individuals with regard to the processing of personal data (Annex I Part I of the Council Decision 2013/743/EU of 3 December 2013 establishing the specific programme implementing Horizon 2020 and art. 5(1) of the Commission Decision C(2013)373</p>

of 12 December 2013 establishing the European Research Council).

Part 1 - Article 31 Record

3	Function and contact details of the controller	Function: Head of Unit Unit : ERCEA A1, Support to Scientific Council E-mail: ERC-A1-DP@ec.europa.eu
4	Contact details of the Data Protection Officer (DPO)	ERCEA Data Protection Officer ERC-DATA-PROTECTION@ec.europa.eu
5	Name and contact details of joint controller (where applicable)	Not applicable
6	Name and contact details of processor (where applicable)	European Commission DIGIT (DIGIT-EFP7-OPERATIONS@ec.europa.eu)
7	Purpose of the processing	<p>The ERC Scientific Council is one of the two components of the ERC, the other one being the ERC Executive Agency (the ERC dedicated implementation structure).</p> <p>The ERC Scientific Council and ERCEA enjoy a privileged working relationship, which necessarily involves access of the Scientific Council to ERCEA's data.</p> <p>The tasks and responsibilities of the ERC Scientific Council are defined in the Horizon 2020 legislation, in particular art. 7 and Annex I Part I of the Council Decision 2013/743/EU of 3 December 2013 establishing the specific programme implementing Horizon 2020.</p> <p>The same legislation act states that the ERC Executive Agency, as ERC dedicated implementation structure, will support the Scientific Council in the conduct of all of its tasks, provide access to the necessary documents and data in its possession, and keep the Scientific Council informed of its activities.</p> <p>Further, according to art. 5(1) of the Commission Decision C(2013)373 of 12 December 2013 establishing the European Research Council, ERCEA "<i>shall provide the Scientific Council with the documents, data and assistance necessary for its work allowing it to operate under conditions of autonomy and independence</i>".</p> <p>This shall be done in compliance with the EU Regulation 2018/1725 of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.</p> <p>For the 7th Framework Programme similar provisions regarding the access of the Scientific Council members to documents and data are laid down in Annex III of Commission Decision 2011/12/EU of 12 January 2011 amending Commission Decision 2007/134/EC establishing the European Research Council.</p> <p>Composed of scientists, engineers and scholars of the highest repute, appointed by the Commission, and acting</p>

		<p>in their personal capacity, independent of any outside influence, the ERC Scientific Council is entrusted, among others, with:</p> <p>(1) <i>scientific strategy</i></p> <ul style="list-style-type: none"> - establishing the overall strategy for the ERC, including the work programme for the implementation of the ERC activities, <p>(2) <i>scientific management, monitoring and quality control</i></p> <ul style="list-style-type: none"> - establishing the methods and procedures for peer review and proposal evaluation, as well as positions on any matter which from a scientific perspective may enhance achievements and impact of the ERC and the quality of the research carried out, - monitoring the quality of operations, evaluating the ERC implementation and achievements, and making recommendations for corrective or future actions, <p>(3) <i>communication and dissemination</i></p> <ul style="list-style-type: none"> - communicating with the scientific community, key stakeholders and the general public on the ERC's activities and achievements and reporting regularly to the European Commission on its own activities. <p>The Scientific Council members sign an expert contract with ERCEA for the duration of their terms, which contains provisions on the processing of personal data and includes a Code of Conduct with, among others, provisions on impartiality and confidentiality, and which is adopted as part of the Scientific Council's Rules of Procedure established according to art. 3(1) of the Commission Decision C(2013)373 of 12 December 2013 establishing the European Research Council.</p> <p>Each request of personal data from the members of the Scientific Council shall include a proper description of the purpose for which the documents and data shall be used and shall indicate the time for which they are needed and assent to delete the documents and data once the specific period is over.</p> <p>For the data to be provided there shall be no limit that prevents the granting of access with regard to confidentiality, security, public interest reasons, access to documents and protection of personal data issues overriding the interest of the Scientific Council.</p> <p>The data transferred shall be adequate, relevant, accurate and limited to what is necessary in relation to the purposes for which they are needed.</p> <p>The members of the Scientific Council shall be instructed to take appropriate organisational and technical measures to ensure the security and confidentiality of the documents and data in order to prevent any unauthorised disclosure or access, accidental or unlawful destruction, loss or alteration of data and documents.</p>
8	<p>Description of the categories of data subjects</p>	<p>X EA staff (Contractual and temporary staff in active position)</p> <p><input type="checkbox"/> Visitors to the EA</p> <p><input type="checkbox"/> Contractors providing goods or services</p>

		<p>X Applicants (including the Principal Investigators)</p> <p><input type="checkbox"/> Relatives of the data subject</p> <p><input type="checkbox"/> Complainants, correspondents and enquirers</p> <p><input type="checkbox"/> Witnesses</p> <p>X Beneficiaries (including the Principal Investigators)</p> <p>X External experts (including remote reviewers)</p> <p>X Contractors</p> <p>X Other, please specify: people involved in the implementation of the ERC-funded projects.</p> <p>For the other categories of data subjects that are not marked above, the transfer of personal data to the Scientific Council members is properly reflected in the relevant records, if applicable.</p>
9	<p>Description of personal data categories</p> <p>Indicate all the categories of personal data processed and specify which personal data are being processed for each category (between brackets under/next to each category):</p>	<p><i>Categories of personal data:</i></p> <ul style="list-style-type: none"> • Regarding Applicants (including the Principal Investigators); Beneficiaries (including the Principal Investigators); External experts (including remote reviewers); Contractors; people involved in the implementation of the ERC-funded projects: <p>X in the form of personal identification numbers</p> <p>(- e.g. ERC identification number, ORCID identifier, bibliographic identifier, passport number, candidature reference)</p> <p>X concerning the physical characteristics of persons as well as the image, voice or fingerprints</p> <p>(- image, voice)</p> <p>X concerning the data subject's private sphere</p> <p>(- e.g. birth date, birth place, residence country, gender, nationality)</p> <p>X concerning pay, allowances and bank accounts</p> <p>(- project/contract payments by categories of costs, allowances by type)</p> <p>X concerning recruitment and contracts</p> <p>(- e.g. role, position, category of staff, expert type, start date, end date, type of contract, salary)</p> <p>X concerning the data subject's family</p> <p>(- e.g. title, first name, last name, previous last name, birth name, family relationship (for conflict-of-interest clearance), professional affiliation (including institution, laboratory, department, address, legal</p>

		<p>representative), e-mail address, telephone)</p> <p>X concerning the data subject's career</p> <p>(- e.g. past and present employment (including position, category of staff, start date, end date, type of contract, type of activity, subject area, institution, country), professional, achievements, academic degrees (including subject area, year of award, institution, country), contact information, expertise, research interest, previous proposal/project (including title, funding agency, funding schema, person role, scientific area, relevant dates, evaluation status, funding status, grant requested/awarded))</p> <p><input type="checkbox"/> concerning leave and absences</p> <p>X concerning missions and journeys</p> <p><input type="checkbox"/> concerning social security and pensions</p> <p><input type="checkbox"/> concerning expenses and medical benefits</p> <p>X concerning telephone numbers and communications</p> <p>(- e.g. telephone, fax, social network account)</p> <p>X concerning names and addresses (including email addresses)</p> <p>(- e.g. title, first name, last name, previous last name, birth name, e-mail address, postal address, professional affiliation (including institution, laboratory, department, address, legal representative, PIC number))</p> <p>X Other, please specify: CVs, proposals submitted to ERC calls for proposals; tenders submitted to ERC calls for tenders; scores and comments received/given in the process of proposal/tender evaluation; grant agreements; contracts; appointment letters; scientific, continuous and periodic project reports; contract deliverables.</p> <ul style="list-style-type: none"> • Regarding EA staff (Contractual and temporary staff in active position) <p>X in the form of personal identification numbers</p> <p>(- e.g. ERC identification number, ORCID identifier, bibliographic identifier, passport number, candidature reference)</p> <p>X concerning the physical characteristics of persons as well as the image, voice or fingerprints</p> <p>(- image, voice)</p> <p>X concerning the data subject's private sphere</p>
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		<input type="checkbox"/> revealing political opinions <input type="checkbox"/> revealing religious or philosophical beliefs <input type="checkbox"/> revealing trade-union membership <input type="checkbox"/> concerning health <input type="checkbox"/> genetic data, biometric data for the purpose of uniquely identifying a natural person <input type="checkbox"/> concerning sex life or sexual orientation <p><i>Specify any additional data or explanatory information on the data being processed, if any:</i></p> <p>In case of a request of personal data from the Scientific Council going beyond the standard data mentioned above, the ERCEA DPO is available for guidance and advice. He or she can therefore recommend implementing specific procedures on a case by case basis.</p>
10	Retention time (time limit for keeping the personal data)	<p>The data are kept for the retention time applicable to each category of data subjects and each category of personal data according to the record of personal data processing under which the data are collected and processed by the ERCEA.</p> <p>Is any further processing for archiving purposes in the public interest, historical, statistical or scientific purposes envisaged? X yes <input type="checkbox"/> no</p> <p>The retention period of the data for historical and scientific research purposes and statistical purposes will follow the general ERC rules for the retention of the ERC data for longer periods.</p> <hr/>
11	Recipients of the data	The members of the ERC Scientific Council; authorized ERCEA staff members; processors.
12	Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?	Not at the moment.
13	General description of the technical and organisational security measures	<p>The transfer of personal data to the Scientific Council members takes place electronically using secure means of communication:</p> <ul style="list-style-type: none"> - encrypted e-mail, - electronic files protected by password, - IT tools accessed personally via individual username and password (e.g. the European Commission collaborative platform for the distribution and management of documents CIRCA-BC, the ERC Research Information System ERIS, the ERC tool for the recruitment of the members of the evaluation panels PAN).

		<p>Together with the specific data requested, the members of the Scientific Council shall also receive instructions on data security, confidentiality, storage and retention, which they are bound to respect as stated in their own Rules of Procedures and Code of Conduct.</p>
14	<p>Information to data subjects/Specific Privacy Statement (SPS)</p>	<p>Specific privacy statements</p> <p>Grants – H2020:</p> <p>https://ec.europa.eu/research/participants/data/support/legal_notice/h2020-ssps-grants-sedia_en.pdf</p> <p>Grants – FP7:</p> <p>https://erc.europa.eu/sites/default/files/document/file/erc_sps_grants_02_2014.pdf</p> <p>ERIS</p> <p>Experts - H2020:</p> <p>https://ec.europa.eu/research/participants/data/support/legal_notice/h2020-ssps-experts-sedia_en.pdf</p> <p>Experts - FP7:</p> <p>https://erc.europa.eu/sites/default/files/document/file/specific_privacy_statement_2013.pdf</p> <p>IT tool for the recruitment of panellists (PAN)</p> <p>Workforce statistics</p> <p>Scientific Misconduct</p> <p>DPN on Staff selection</p> <p>Public procurement:</p> <p>https://erc.europa.eu/sites/default/files/document/file/ERC_specific_privacy_statement_Public_Procurement_2019.pdf</p>