



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 12 - 2019

In accordance with Article 31 of the new 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 new 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 from notification to record*

PAN: Panel Nominations

1	Last update of this record if applicable	Ref. Ares(2017)3165310– 23/06/2017
2	Short description of the processing	<p>PAN is a platform that facilitates all the communications between the ERC Scientific Council Committee on Panels (CoP) and the ERCEA staff regarding the composition of ERC evaluation panels.</p> <p>Actors:</p> <p>The CoP consists of the ERC President, the three ERC Vice Presidents who are also Domain Coordinators of the three disciplinary domains - Social Sciences and Humanities (SH) - Life Sciences</p>

(LS) and Physical and Engineering Sciences (PE) and the main actors in the PAN context on the side of the Scientific Council; and three additional Scientific Council members, one each per domain.

The Committee on Panels (CoP) is responsible for decisions concerning the ERC panels' composition. The CoP decides upon Panel Chairs and Panel Members re-invitations basing on the information of the annual information exercise; the ScC Domain Coordinators decide on the recruitment of new panel members.

All other Scientific Council members who contribute to the identification of ERC panel members.

The Operational Standing Committee (OSC) of ERCEA is responsible for the legal and administrative steps leading to the appointment.

The Scientific Officers (ERCEA Staff) who contribute to the identification of expertise needs in supporting the recruitment process and who interact with ERC panel members.

The PAN platform:

- facilitates the communication between the Scientific Council (ScC) Domain Coordinators and the OSC about potential Panel Members (data subjects);

- facilitates all the communication between CoP members and OSC providing a more secure platform for sensitive data;

- is a direct interface with the ERC expert management database;

- contains information on the panels namely on: 1) overview of all panel compositions in all calls (either including closed call, running calls and calls under recruitment); 2) information about experts concerning their role in the panels, their field of expertise and other data considered in the panel composition rules (e.g. ERC grantee, country distribution, gender, performance indicator (if any) etc).

Actions:

The ScC Domain coordinators are responsible for the nomination of Panel Members (New Panel Members and re-invitations) and for inserting data such as First name, Last Name, Host Institution etc. in PAN

The OSC is responsible for the administrative checks of nominated Panel Members.

The Scientific Officers (ERCEA Staff) are responsible to fill in the expertise of Panel Members.

Part 1 - Article 31 Record

3	Function and contact details of controller	Unit: Head of the ERCEA Scientific Management Department ERC-PAN-SUPPORT@ec.europa.eu
4	Contact details of the Data Protection Officer (DPO)	[e-mail: ERC-DATA-PROTECTION@ec.europa.eu]
5	Name and contact details of joint controller (where applicable)	N/A
6	Name and contact details of processor (where applicable)	DG DIGIT e-mail: DIGIT-EC-SMT@ec.europa.eu
7	Purpose of the processing	<p>PAN is designed to support the ScC Domain Coordinators in their task to identify, informally invite and nominate ERC panel members to be formally invited and contracted by the ERCEA.</p> <p>PAN allows keeping track of all informal invitations between ScC Domain Coordinators and potential Panel Members allowing recording their decisions to accept, decline, declare availability to future calls and to consent or not to keep their data in PAN. In addition, PAN ensures an optimisation of the Panel Members' nomination process and it guarantees smoother and more efficient communication between the ScC Domain Coordinators and ERCEA staff before Panel Member's formal invitation, as well as a safer management of sensitive information. It also makes redundant the current procedure of transmitting documents from ERCEA to the ScC Domain Coordinators in the context of keeping track of informally invited Panel Members.</p>
8	Description of the categories of data subjects	<input checked="" type="checkbox"/> EA staff (Contractual and temporary staff in active position) (First name, Last name, e-mail address, EU-login) <input type="checkbox"/> Visitors to the EA <input type="checkbox"/> Contractors providing goods or services <input type="checkbox"/> Applicants <input type="checkbox"/> Relatives of the data subject <input type="checkbox"/> Complainants, correspondents and enquirers <input type="checkbox"/> Witnesses <input type="checkbox"/> Beneficiaries

		<input checked="" type="checkbox"/> External experts (First name, Last name, email address, URL, gender, Host Institution country, expertise) <input type="checkbox"/> Contractors <input checked="" type="checkbox"/> Other, please specify Scientific Council Members (First name, Last name, e-mail, address, EU-login)
9	Description of personal data categories	<p><i>Categories of personal data:</i></p> <input checked="" type="checkbox"/> in the form of personal identification numbers (i.e. PAN nominee ID) <input type="checkbox"/> concerning the physical characteristics of persons as well as the image, voice or fingerprints <input checked="" type="checkbox"/> concerning the data subject's private sphere (e.g. gender) <input type="checkbox"/> concerning pay, allowances and bank accounts <input checked="" type="checkbox"/> concerning recruitment and contracts (e.g. invitation and recruitment status) <input type="checkbox"/> concerning the data subject's family <input checked="" type="checkbox"/> concerning the data subject's career (e.g. ERC grantee, expertise) <input checked="" type="checkbox"/> concerning leave and absences (e.g. panel member availability) <input type="checkbox"/> concerning missions and journeys <input type="checkbox"/> concerning social security and pensions <input type="checkbox"/> concerning expenses and medical benefits <input type="checkbox"/> concerning telephone numbers and communications <input checked="" type="checkbox"/> concerning names and addresses (including email addresses) <input checked="" type="checkbox"/> Other :please specify : i.e. gender <p><i>Categories of personal data processing likely to present <u>specific risks</u>:</i></p> <input type="checkbox"/> data relating to suspected offences, offences, criminal convictions or security measures <input checked="" type="checkbox"/> data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct), specifically regarding their conduct and ability to undertake evaluation tasks <p><i>Categories of personal data whose processing is</i></p>

		<p><i>prohibited, with exceptions (art. 10 new Regulation):</i></p> <ul style="list-style-type: none"> revealing racial or ethnic origin <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 <input type="checkbox"/>
10	Retention time (time limit for keeping the personal data)	<p>The administrative retention period of the data ERC Panel Members is ten (10) years after the end of the Particular Program in which they were serving (e.g. FP7 or H2020).</p> <p>When an informal invitation to a potential Panel Member is sent and after 90 days the expert does not reply, data subject's personal data is automatically deleted from PAN.</p> <p>Is any further processing for historical, statistical or scientific purposes envisaged? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no</p> <hr/>
11	Recipients of the data	<p>External to the ERCEA: The CoP members and all other Scientific Council Members; the assistants of the ERC Vice Presidents and domain coordinators.</p> <p>Internal to the Executive Agency: The OSC members, the Head of the Scientific Department, the Heads of the Scientific units and the Scientific Officers of units B3, B4 and B5, D1 IT officers, Call Coordination Communication unit and the Expert Management Staff.</p>
12	Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?	<p>Scientific Council Members and ERCEA staff can access PAN IT Tool from third countries via the provided EU Login. All PAN IT users are bound to confidentiality and are warned about confidentiality when downloading information.</p>
13	General description of the technical and organisational security measures	<p>The ERCEA computer systems have very restricted physical access for externals due to the security measures (restricted access to identified people supervised by security guards) of the building. The Scientific Council Members will be usually using PAN from their professional locations and the access will be via provided EU Login.</p> <p>Access rights will be attributed by the Business</p>

		<p>Process Controller under the supervision of the Data Controller and within a limited scope. The access to the personal data is limited to point 12, on a need to know basis. All PAN users will need an EU-Login username and password and therefore the actual exercise of the access rights can be controlled and traced, if needed for security reasons.</p>
14	<p>Information to data subjects/Data Protection Notice (DPN)</p>	<p>The ERC Panel Members who already participated to at least one ERC evaluation have already been informed that they could be re-invited to ERC evaluations in alternative years. Their personal data (First name, Last name, Host Institution, Host Institution Country, Gender, professional and private email addresses) imported in PAN have been previously validated by them through the Funding and Tender Portal (or in the previous Participant Portal).</p> <p>The personal data of potential ERC Panel Members that can be newly nominated are inserted in PAN by the ScC Domain Coordinators, who sends the informal invitation. For this initial contact, the ScC Domain Coordinators use only personal data (First name, Last name, Host Institution, Host Institution Country, Gender, professional and private email addresses) from public sources and hence available to the general public. Moreover, the informal invitations contain a Data Protection Notice explaining to the potential Panel Members how their personal data (Name, Last name, Host Institution, Host Institution Country, Gender, professional and personal email addresses) will be treated and asking consent to keep their data in PAN. All informal invitation emails generated by PAN will include a unique link to a webpage in which potential Panel Members can encode their replies, while the body of the email is drafted by the ScC Domain Coordinator. The potential Panel Members' reply to the informal invitation will be recorded in PAN in two possible ways, either by the data subject or by the OSC.</p> <p>In the first case the data subject encode through the link their response by crossing out one of the following set of options:</p> <p>(1) Accepting to participate as ERC Panel Member. Those who informally accepted participating to the ERC evaluation are vited formally by the Operational Standing Committee of ERCEA, who is responsible for the legal and administrative steps leading to their nomination. All data (First name, Last name, Host Institution, Host Institution Country, Gender, professional and private email addresses) are validated by the own data subjects during the appointment process. The data subject is once more informed that the data is kept by ERCEA and agrees to it.</p> <p>(2) Not accepting to participate as ERC Panel Member but providing consent to keep personal data (First name, Last name, Host Institution, Host Institution Country, Gender, professional and private email addresses) and to be considered for future</p>

		<p>calls. Those who express availability to participate to future calls have their data, only retrieved from public sources stored, in PAN in case the data subjects agree. Potential Panel Members availability to participate in future calls is recorded in PAN. All data kept by ERCEA is available in public sources being exclusively the one used for the informal invitation, which contains a Data Protection Notice informing data subjects of the use of their data by the ERCEA.</p> <p>(3) Not accepting to participate as Panel Member but providing consent to keep minimum amount of personal data (First name, Last name, Host Institution, professional and personal email addresses) for not being further contacted.</p> <p>(4) Not accepting to participate as Panel Member and requesting to delete all data with the risk of being contacted in the future. In this case no personal data is stored in PAN.</p> <p>In the second case, the data subject replies by e-mail to the informal invitation of the ScC Domain Coordinator. Their response is encoded by the ScC Domain Coordinator in PAN</p> <p>It is further informed that Potential Panel Members not responding within 90 days to the informal invitation letter, have their personal data retrieved from public domains automatically deleted from PAN.</p>
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Part 2 - Compliance Check (Articles 4 and 5)

1	<p>Legal basis of the processing</p>	<p>5(1)(a) of Regulation 2018/1725 processing is 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,</p> <p>5(1)(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;</p> <p>5(1)(c) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;</p> <p><u>More specific:</u></p> <p><u>Framework Programme Horizon 2020 (H2020)</u></p> <ul style="list-style-type: none"> - Council Decision (2013/743/EU), of 3 December 2013, establishing the specific programme implementing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decisions 2006/971/EC, 2006/972/EC, 2006/973/EC, 2006/974/EC and 2006/975/EC - Regulation (EU) No 1291/2013 of the European Parliament and the Council, of 11 December 2013, establishing Horizon 2020 – the Framework
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