

Brussels, 16/11/2021
ERCEA

DATA PROTECTION NOTICE
ERCEA Unit B2
ERC Implementing Arrangements

This statement concerns the processing operation called "European Research Council (ERC) Implementing Arrangements". This processing requires the handling of personal data and is therefore subject to Regulation (EU) 2018/1725 (Data protection regulation)¹.

1. What personal information do we collect, from where and for what purpose?

1.a) Personal data

For the purposes of the Implementing Arrangements, including its monitoring, evaluation and impact assessment, the following personal data will be collected in the survey: the Principal Investigator's name, surname and email address, the project acronym, the project number, keywords describing the ERC project as well as expertise/competences expected from the visiting researcher. In addition, the PI has to indicate the willingness to host a scientist from the participating non-EU countries.

The results of the survey will not be used for any other purpose than the ones stated above and participation is completely voluntary.

For the visiting researchers, the following personal data are received by the non-EU institutions: name and family name.

1.b) Purposes of the processing

Personal data is collected through this survey or received from the institution of the visiting researchers in order to implement the procedure established in Implementing Arrangements signed with certain third countries specified in the questionnaire. Department B of ERCEA (and in particular Unit B2) is in charge of implementing the referred Arrangements, which aim at facilitating scientific visits of foreign scientists to ERC projects. Under these frameworks, it is necessary to ask the ERC PIs once per year if they would like to host foreign scientists.

The questionnaire aims to gather information from ERC Principal Investigators in order to determine their willingness/interest to host a foreign scientist in their research premises.

After the collection period, the questionnaire is closed and no further answers are possible. The data is subsequently exported in a file for further analysis by Department B staff. This file contains personal data in order to identify and contact the interested PIs. The personal data of PIs who have provided unambiguous consent through the questionnaire will then be transferred to the respective authority(ies) or organisation(s), if relevant also outside the EU, so that they can be directly contacted by the grantee of the specified authority or organisation.

¹ 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.

1.c) From where the data is collected

This survey is processed through the *EUSurvey*² platform in a set format and consists of a questionnaire with several questions that the PI is voluntarily asked to answer. Thus the data are collected directly from the data subject. PIs will receive a call for expression of interest in the Implementing Arrangements informing them of the objectives of the initiative. PIs are also informed that, by participating in the questionnaire and by providing their consent, they allow the ERCEA to transfer the information they have provided, including their personal data, to the non-EU authority(ies) or organisation(s) participating in the initiative. These authorities or organisations will then transfer this information to their applicants wishing to participate in the initiative.

For the visiting researchers, ERCEA is not involved in the collection of the data performed by non-EU institutions.

2. Who has access to your information and to whom is it disclosed?

The raw data and information gathered in this survey is accessible on a need to know basis to:

- Selected members of the ERCEA staff, for processing the information;
- Selected members of DIGIT staff that administrate EUSurvey, the tool used for the questionnaire;
- The European Research Council, for historical, statistical or scientific purposes (e.g. evaluation and impact assessment of the programme).

The results of the survey are delivered by the IT Unit (D1) to the ERCEA Head of Department B, who is the controller of this processing operation.

In addition, certain administrative details maybe disclosed, in compliance with the relevant current legislation and established case law, and on a temporary basis to legislative or supervisory bodies of the ERCEA, as well as auditing bodies.

The data will be transferred by email to:

- The non-EU authorities and organizations participating in the initiative, with whom the ERCEA has signed specific Implementing Arrangements and which will get a listing of the interested PIs, together with the publishable description of their respective ERC-funded projects; and
- Researchers of these non-EU organizations, which will be informed of the collaborative opportunity through the issuance of a Dear Colleague Letter that describes the goals of the programme and the collaborative opportunities as defined by the European researchers who have agreed to the transfer of the information.

3. What are your rights?

² For additional information related to *EUSurvey* privacy statement on the protection of personal data refer to <https://ec.europa.eu/eusurvey/home/privacystatement>

You are entitled to access the personal data the ERCEA holds about you and to request to have them rectified where necessary. Under the provision of the data protection regulation, you also have the right to have your data erased, to request the restriction of the processing of your personal data and the right to data portability.

When the legal basis for the processing operation is article 5.1(a) of the Data protection regulation, you have the right to object to the processing.

To exercise any of these rights, you should apply to the ERCEA Head of Department B, who is responsible for such processing (i.e. the Controller), by sending an e-mail specifying your request to the mailbox indicated in point 5.

As this processing of your personal data is based on your consent, as per point (d) of Article 5(1) please note that you can withdraw it at any time, and this will have effect from the moment of your retraction. The processing based on your consent before its withdrawal will remain lawful.

4. How long do we keep your data?

Personal data is kept as long as follow-up actions to the consultation (including monitoring, evaluation and impact assessment) are necessary with regard to the purpose(s) of the survey as well as for the consultation and its related management. All personal data will be deleted from databases at the latest 5 years after the beginning of the survey has taken place, and will be contextually transferred to an isolated, restricted server for the sole purpose of historical, statistical or scientific use related to this specific action. This ensures that ERCEA can verify the consent provided by the data subject until the procedure is concluded. Access to this server is given only upon approval by the ERCEA Head of Department B in charge and solely on a "need to know" and "need to do" basis. Data will be kept in this restricted server for no longer than necessary for the fulfilment of historical, statistical or scientific purposes related to this specific action, after which it will be deleted. Reports containing personal data will be archived according to the Common Commission Retention List (SEC(2019)900/2), to which the ERCEA has to adhere.

5. Contact information

If you would like to receive further information, you can contact the responsible person (the Controller), ERCEA Head of Department B, the ERC Implementing Arrangements Programmes Team, via the mailbox: ERC-IMPLEMENTING-ARRANGEMENTS@ec.europa.eu

If you want to exercise your rights with regard the processing of your personal data done by the non-EU authorities and organisations participating in the initiative, please contact:

1. United States: the National Science Foundation of the United States³;
2. Korea: Ministry of Science, ICT and Future Planning of the Republic of Korea⁴ ;
3. Argentina: Ministry of Science, Technology and Productive Innovation of the Republic of Argentina⁵;
4. Japan: Society for the Promotion of Science of Japan⁶;
5. China: National Natural Science Foundation of the People's Republic of China⁷;

³ https://erc.europa.eu/sites/default/files/document/file/agreement_EC_NSF.pdf

⁴ https://erc.europa.eu/sites/default/files/document/file/agreement_ERC_MSIP_en.pdf

⁵ https://erc.europa.eu/sites/default/files/document/file/agreement_ERC_MINCYT_en.pdf

⁶ https://erc.europa.eu/sites/default/files/document/file/agreement_EC_JSPS.pdf

⁷ https://erc.europa.eu/sites/default/files/document/file/agreement_ERC_NSFC_en.pdf

6. South Africa: the National Research Foundation of the Republic of South Africa⁸;
7. Mexico: National Council of Science and Technology (Conacyt) of Mexico⁹;
8. Brazil: National Council for Scientific and Technological Development (CNPq) of Federative Republic of Brazil¹⁰;
9. Canada: Canadian Tri-agency Institutional Programs Secretariat (TIPS)¹¹ ;
10. Republic of India: the Science and Engineering Research Board (SERB) of the Republic of India¹²;
11. Japan: Japan Science and Technology Agency (JST)¹³;
12. Australia: National Health and Medical Research Council (NHMRC) of Australia¹⁴;
13. Australia: Australian Research Council (ARC)¹⁵;
14. Singapore: National Research Foundation (NRF) of Singapore¹⁶;
15. Japan: Agency for Medical Research and Development (AMED) of Japan¹⁷;
16. India: Indian Council of Social Science Research (ICSSR)¹⁸.

The ERCEA Data Protection Officer is at your disposal for any clarification you might need on your rights under Regulation (EU) 2018/1725 at the following e-mail address:

ERC-DATA-PROTECTION@ec.europa.eu

You may lodge a complaint to the European Data Protection Supervisor:
EDPS@edps.europa.eu

6. Legal basis

The ERC Implementing Arrangements Programmes are based on the Council Decision¹⁹ and the Regulation²⁰ establishing the Horizon 2020 Programme, as well as on the Commission Decision²¹ delegating powers to the ERC Executive Agency (ERCEA).

In addition, these processing operations are based on:

⁸ https://erc.europa.eu/sites/default/files/document/file/agreement_ERC_NRF_en.pdf

⁹ https://erc.europa.eu/sites/default/files/document/file/agreement_ERC_CONACYT_en.pdf

¹⁰ <https://erc.europa.eu/sites/default/files/document/file/agreement-EC-CONFAP.pdf>

¹¹ <https://erc.europa.eu/sites/default/files/document/file/agreement-EC-TIPS.pdf>

¹² <https://erc.europa.eu/sites/default/files/document/file/Agreement-EU-SERB.pdf>

¹³ https://erc.europa.eu/sites/default/files/document/file/EC-JST_implementing_arrangement.pdf

¹⁴ https://erc.europa.eu/sites/default/files/document/file/EC_NHMRC_Implementing_Arrangement.pdf

¹⁵ <https://erc.europa.eu/sites/default/files/document/file/EC-ARC-implementing-arrangement.pdf>

¹⁶ <https://erc.europa.eu/sites/default/files/document/file/EC-ERC-NRF-implementing-arrangement.pdf>

¹⁷ <https://erc.europa.eu/sites/default/files/document/file/EC-ERC-AMED-implementing-arrangement.pdf>

¹⁸ <https://erc.europa.eu/sites/default/files/document/file/EC-ERC-ICSSR-implementing-arrangement.pdf>

¹⁹ Council Decision (EU) 2021/764 of 10 May 2021 establishing the Specific Programme implementing Horizon Europe – the Framework Programme for Research and Innovation, and repealing Decision 2013/743/EU.

²⁰ Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013.

²¹ Commission Decision C(2021) 950 final of 12 February 2021 delegating powers to the European Research Council Executive Agency with a view to the performance of tasks linked to the implementation of Union programmes in the field of frontier research comprising, in particular, implementation of appropriations entered in the general budget of the Union.

Article 5.1

- (a) 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;
- (d) the data subject has given consent to the processing of his or her personal data for one or more specific purposes.