



Brussels, May 2013

ERCEA

SPECIFIC PRIVACY STATEMENT

(Specific Programme) IDEAS – ERCEA Experts Selection and Management

This statement concerns the processing operation called "**IDEAS – ERCEA Experts Selection and Management**"¹. This processing requires the handling of personal data, and is therefore subject to Regulation (EC) No 45/2001².

1. What personal information do we collect, for what purpose and by what means?

The processing of data is necessary in order to implement and manage the evaluation of proposals submitted for funding and review of funded projects under the Ideas Specific Programme of the 7th Research Framework Programme. The ERCEA has to appoint independent experts and assign them specific evaluation and/or review tasks. Some categories of experts are entitled to receive financial compensation and reimbursement for their activities; therefore their data are processed accordingly.

The ERC Scientific Council is responsible for proposing independent experts for the peer review evaluation of frontier research projects pursuant to Article 17(2) of the Rules for Participation³, and monitoring of indirect actions implementation within the meaning of Article 27(1) of the Rules for Participation. The ERC Scientific Council may rely on its members and on information provided by Panel members or by the ERCEA to identify the independent experts.

The ERCEA has also recourse to the list of experts resulting from calls for applications published in the Official Journal of the European Union, as well as other experts with the necessary qualifications, identified for example, through consultation with national research funding agencies and similar organisations.

Additionally, to maintain the integrity of the ERC's evaluation process and to implement the prescribed rotation of experts, the ERC Scientific Council undertakes **an annual information exercise** to look at the composition of each of the panels so as to ensure the necessary breadth and diversity of scientific expertise including an appropriate gender and geographical balance. As part of this exercise the ERCEA gathers and transfers to the ERC Scientific Council the required data on panel members.

¹ This statement completes the legal notice provided in the “expert area” of the participant portal <https://ec.europa.eu/research/participants/portal/page/legal> by detailing ERCEA features.

² Regulation (EC) 45/2001 of the European Parliament and of the Council 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 L 8, 12.1.2001, p. 1.

³ Rules for the participation of undertakings, research centres and universities in actions under the Seventh Framework Programme and for the dissemination of research results (2007 to 2013), OJ L 391, 30.12.2006, p. 1.

The different batches of data collected and processed (where applicable) in the different phases are:

(A) Short batch (minimum compulsory identification information for being appointed as expert):

- E-mail address;
- Title;
- First Name, Name;
- Gender;
- Nationality;
- Host Institution (HI)/Organisation;
- Date of birth (for remote referees it is replaced by the URL address of the HI);
- Town and Country of the Host Institution (HI)/Organisation;
- Field of expertise;
- EMMP Central Repository and/or ERCEA local Repository identification number.

(B) Full batch (information further provided by the data subjects, when entered in the experts repositories. Paid experts can update/revise their data alone, as they are included both in the local and central repositories. Unpaid experts have to ask the ERCEA, as they are included only in the local ERCEA repository):

- First Name, Name;
- Phone number, fax number, e-mail address;
- Expert type;
- Passport n°, Place/Date of Birth;
- Previous Family Name, Employment details (optional; it can include whether currently employed, current employer, and 5 previous employers);
- Candidature reference;
- Host Institution;
- Nationality;
- Gender;
- Professional experience (when applicable), Research interest, and Expertise: experts may be classified by means of key-words. This helps in identifying the most competent experts in the field of the proposals to be evaluated;
- Bank account details are encoded in **ABAC**⁴ (when applicable): Account name (name under which the account has been opened), Bank name, Branch address (street), Town/City, Postcode, Country, Account number, IBAN.

(C) Annual information exercise batch:

General information:

1. Expert ID
2. Last call in which the panel member served
3. Panel
4. Role (Panel chair/member)
5. Name
6. Gender
7. Nationality
8. First year of appointment

⁴ The **Accrual Based Accounting (ABAC)** is a transversal, transactional information system allowing for the execution and monitoring of all budgetary and accounting operations by the Commission and Agencies

Participation & Availability

1. Number of calls served
2. Future non-availability stated? Y/N

Compliance

1. Number of assigned proposals
2. Number of finalised reviews
3. Number of reviews finalised late (i.e. after the panel deadline for remote evaluation) Justification provided? Y/N
4. Number of characters in reviews clearly below the normal average number (e.g. less than 1 full sentence; telegraphic style)
5. Attendance to step 1 panel meeting? Y/N
Attendance to step 2 panel meeting? Y/N
6. Overall procedural compliance based on the following criteria:
A – Failure to comply:
- with confidentiality rules? Y/N
- with Conflict of Interest rules? Y/N
B – Failed to meet an already accepted commitment (evaluations and/or meeting attendance)? Y/N
How many evaluations? ____ Justification provided? Y/N
How many meetings? ____ Justification provided? Y/N
C – Lack of participation during the panel meeting discussion? Y/N
Lack of participation during the final evaluation decision on proposals? Y/N
D – Reproduction of text from other experts or from the proposal as identified by copy-paste detection tools? Y/N How many times? ____
E – Submission of IARs requiring correction ____

The data are collected and processed through ERCEA local applications and the Experts Management Participant Portal (**EMPP**)⁵.

With regards to appointed paid experts who declared a disability/health and/or personal inconvenience, documentary evidence might be asked for the eligibility of incurred costs⁶.

NB: There is an additional collection and processing of data for the "*Exclusion of Experts by Applicants*" system. For details, please refer to the relevant Specific Privacy Statement published on the ERC website. In synthesis, the Applicants submitting research proposals in the framework of IDEAS calls may indicate some experts that they wish not to be involved in the evaluation of their proposals. The experts' data which are meant to be collected and further processed are: (a) Name of the expert(s); (b) Research Institute/University/Employer; (c) Ground and specific reasons referred to by the applicant's request for exclusion.

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

In line with the **7th Framework Research Programme** data of Experts are disclosed to:

- Internal authorised Commission staff and contractors that are working on behalf of and under the responsibility of the Commission to manage the operational and financial aspects

⁵ The **EMPP - Experts Management Participant Portal** is the centralised Research Family Tool and Repository for the management of experts' data.

⁶ The health/disability data are dealt by a restricted group of agents in line with the obligation of professional secrecy equivalent to that of health professional (medical secrecy).

of research projects within the Research Framework Programmes or other Programmes and Initiatives;

- Other European Institutions or Community Programmes/Bodies/Initiatives linked to the Research Framework Programme of other Programmes and Initiatives.

- In addition, and only further to the prior approval of the data subjects through the "opt-in" options offered at the time of their registration, access to the Expert's profile data may be granted to:

- Public research funding bodies from the Member States and the States associated to the Framework programmes or to other Programmes and Initiatives;

- Commission departments not involved in the administration of the research Framework Programmes or other Programmes and Initiatives, and seeking particular scientific or technical expertise to assist in the administration of other EU programmes.

Such accesses to the database may be granted to individual authorised named persons, on receipt of a written request. The opt-in options can be changed by the data subject at any time, including the removal of his/her registration

- Public: basic information (e.g. name, first name) of experts who participated in evaluations are published on the Participant Portal, Experts area, <https://ec.europa.eu/research/participants/portal/page/experts>

With regards **the specificities of IDEAS and ERCEA**, hereby the details:

The recipients of the relevant information are mainly staff of ERCEA. Limited information about independent experts involved in the evaluation and/or review (such as name, Institutions and expertise) may be disclosed to the Members of the ERC Scientific Council.

The names of the independent experts assigned to individual proposals are not made public. However, the list of independent experts that have assisted in the evaluation of proposals received under a call related to the Ideas Specific Programme will be published yearly on Commission website(s). In addition the list of Panel members will be published on the ERC website.

With regards to the data collected and handled during the annual information exercise, the data are accessed only by authorised staff and the Scientific Council members.

With regards to the special data linked to health/disabilities/personal inconveniences, the data are dealt by a restricted group of agents in line with the obligation of professional secrecy equivalent to that of a health professional (medical secrecy): only the “initiating”, “verifying” and “authorising” agents access and processes such data.

In addition, some personal data may be disclosed, in compliance with the relevant current legislation and established case law, and on a temporary basis to: (a) the General Court and the Court of Justice, at their request; (b) the Ombudsman, at his request; (c) the European Data Protection Supervisor, at his request; (d) the audit and control bodies such as OLAF, Court of Auditors, ERCEA Internal Audit Office, the Internal Audit Service.

3. How do we protect and safeguard your information?

There are appropriate specific access rights and controls following the “need to know” principle. The information are stored in a database that resides on the servers of the ERCEA and the European Commission the operations of which abide by the European Commission’s security decisions and provisions established by the Directorate of Security for this kind of servers and services.

Experts cooperating with ERCEA have a secure access to their data through the ECAS (European Commission Authentication Service).

4. How can you access, verify, correct or delete your data?

If the ERC experts want to access, verify, correct or delete any personal data, they should apply to the ERCEA Director or the Head of Department B, who are responsible for such processing (i.e. respectively the Controller and the Co-Controller), by sending an e-mail giving details of your request to the mailbox indicated in point 6⁷.

For the ERC experts having access to Experts Management Participant Portal (EMPP), corrections can be made directly on-line; however, for having data corrected in the ERCEA local database they have to proceed as above by contacting ERCEA Director or the Head of Department B.

5. How long do we keep your data?

For experts selected, personal data (on papers and registered in data bases) are kept as required by the Commission's Common Retention List (SEC(2007)970), i.e. 10 years after the end of the project on which they provided their services.

The experts with an EMPP account may themselves update or delete online their personal data stored in EMPP through the Participant Portal; therefore data in EMPP not updated after 10 years will be removed automatically.

With regards to the data stored in the local ERCEA database, the experts willing to update or remove earlier their data have to first notify the ERCEA which will satisfy their request on demand. In principle, the same retention period applies.

6. Contact information

If you would like to receive further information, you can contact the responsible person (the Controller) via the mailbox: ERC-EXPERTS@ec.europa.eu

The ERCEA Data Protection Officer is at your disposal for any clarification you might need on your rights under Regulation 45/2001:

ERC-DATA-PROTECTION@ec.europa.eu

In case of conflict, complaints can be addressed to the European Data Protection Supervisor: EDPS@edps.europa.eu

7. Legal basis

The legal basis references which apply to the above processing operations are contained in

- Commission Decision C(2011) 7216 amending Commission decision C (2010) 9271 on the adoption of the model appointment letters for the independent experts participating to the peer review evaluation of proposals submitted to the ERC
- Articles 182 TFEU and 294 TFEU
- Decision n. 1982/2006 of the EP and the Council concerning the FP7
- Regulation (EC) n. 1906/2006 Rules of participation of undertakings, research centres and universities
- Council Decision 2006/972/EC concerning the specific programme Ideas

⁷ Article 13 of the Steering Committee decision StC210610/6 - available on the ERC public website in the section "Document Library – Data Protection" (<http://erc.europa.eu/document-library>) details the applicable provisions for the exercise of rights by data subjects.

- Commission Decision 2007/134/EC establishing the ERC
- Commission Decision (2011/12/EU) amending Decision 2007/134/EC establishing the European Research Council
- Commission Decision C(2007)2286 ERC rules for the submission of proposals and the related evaluation, selection and award procedures relevant to the Ideas Specific Programme
- Commission Decision (2010/767/EU) amending Decision C(2007) 2286 on the adoption of ERC Rules for the submission of proposals and the related evaluation, selection and award procedures for indirect actions under the Ideas Specific Programme of the Seventh Framework Programme (2007 to 2013)
- Regulation (EC) n. 58/2003 laying down the statute for executive agencies
- Commission Decision 2008/37/EC setting up the ERC Executive Agency (ERCEA)
- Commission Decision C(2008)5694 delegating powers to the ERCEA

8. Further information

A dedicated website page provides all the necessary information relating to the ERCEA selection and management of experts and the annual information exercise:

<http://erc.europa.eu/space-erc-reviewers>

You might want to consult also:

<http://erc.europa.eu/document-library>

http://cordis.europa.eu/fp7/experts_en.html

<https://ec.europa.eu/research/participants/portal/page/legal>