



European Research Council
Executive Agency

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ERCEA

DATA PROTECTION NOTICE

ERCEA Unit B2

ERC Visiting Fellowship Programmes

This data protection notice concerns the processing of the personal data obtained of European Research Council (ERC) Principal Investigators (PIs) in the context of the Visiting Fellowship Programmes. 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 Visiting Fellowship Programmes, 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, project number and abstract, area of expertise. In addition, the PI has to indicate the willingness to host a scientist from an EU national or regional authorities or organisations in their research premises, in the context of the ERC Visiting Fellowship Programmes.

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

1.b) Purposes of the processing

Personal data is collected through this survey in order to implement the recommendations issued by ERC in "Fellowship to Visit ERC Grantee"². Department B of ERCEA (and in particular Unit B2) is in charge of implementing the referred Programmes, which aim at facilitating scientific visits of European scientists to ERC projects. Under these frameworks, it is necessary to ask the ERC PIs once per year if they would like to host European scientists.

The questionnaire aims to gather information from ERC Principal Investigators in order to determine their willingness/interest to host a European 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

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.

² https://erc.europa.eu/sites/default/files/document/file/fellowship_visit_erc_grantee_en.pdf, published on 15 March 2019.

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 to countries without an adequacy decision, so that they can be directly contacted by the grantee of the specified authority or organisation.

1.c) From where the data is collected

This survey is processed through the *EUSurvey*³ 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 Visiting Fellowship Programmes 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 EU and non-EU⁴ 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 programme.

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 may be 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 EU and non-EU authorities and organizations participating in the initiative which will get a listing of the interested PIs, together with the publishable description of their respective ERC-funded projects; and
- Researchers of these national or regional authorities or 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 and personal data mentioned under point 1.

In limited case, the personal data may also be transferred to countries outside EU, where it cannot be granted that the same level of data protection will be ensured in the absence of an adequacy decision.

³ For additional information related to *EUSurvey* privacy statement on the protection of personal data refer to <https://ec.europa.eu/eusurvey/home/privacystatement>

⁴ Please note that when referring to "non-EU" or "third countries" it is meant to refer to Moldova.

3. What are your rights?

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.

Please note that in some cases restrictions under Article 25 of the Data protection regulation may apply. Any such restriction will be limited in time, proportionate and respect the essence of the above-mentioned rights. It will be lifted as soon as the circumstances justifying the restriction are no longer applicable. As a general rule you will be informed on the principal reasons for a restriction unless this information would cancel the effect of the restriction as such. You have the right to make a complaint to the EDPS concerning the scope of the restriction.

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 or after its exportation into an aggregated and anonymous form. This ensures that ERCEA can verify the consent provided by the data subject until the procedure is concluded.

Before the expiration of the 5 years period, personal data collected for this specific action may be transferred to a restricted folder on the ERCEA shared drive for the sole purpose of historical, statistical or scientific use related to this specific action. Access to this folder is granted 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 folder 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 Visiting Fellowship Programmes Team, via the mailbox: ERC-VISITING-FELLOWSHIP-PROGRAMMES@ec.europa.eu

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 Visiting Fellowship Programmes are based on the Council Decision⁵ and the Regulation⁶ establishing Horizon Europe Programme, as well as on the Commission Decision⁷ delegating powers to the ERC Executive Agency (ERCEA).

On 4th December 2015, the ERC Scientific Council adopted Guidelines for national and/or regional authorities and organisations interested in setting up Visiting Fellowship Programmes.

For Moldova the legal basis for the participation in this initiative is the Agreement between the European Union, of the one part, and the Republic of Moldova, of the other part, on the participation of the Republic of Moldova in the Union programme Horizon Europe – the Framework Programme for Research and Innovation (OJ L 95, 23.3.2022, pp. 18-32).

In addition, these processing operations are based on: 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.

⁵ 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.

⁶ 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.

⁷ 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.