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 46-2020

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.*

	Scientific Assessment of Projects	
1	**Last update of this record if applicable**	N/A
2	**Short description of the processing**	The Qualitative Evaluation of ERC Completed Projects, also known as SAP (Scientific Assessment of Projects), is an ex-post evaluation that aims to analyse the ERC programme and to provide feedback to the Scientific Council. The processing of personal data is necessary to perform a peer-reviewed evaluation of ERC funded projects (under H2020 or HE).
	(This part may be public) **Part 1 - Article 31 Record**	
3	**Function and contact details of the controller**	Function: **Head of ERCEA Department B Scientific Department**

		ERC SAP Team, e-mail: ERC-B-SAP@ec.europa.eu
4	**Contact details of the Data Protection Officer (DPO)**	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 Head of Unit of DIGIT.D.1, Directorate-General for Informatics (DIGIT) DIGIT-D1@ec.europa.eu
7	**Purpose of the processing**	The purpose of this processing operation is to use personal data for analysing the quality and the scientific impact of the ERC-funded research (through a peer-reviewed evaluation). The main output of this exercise is a technical report, which contains an analysis anonymized of the results, to the ERC Scientific Council (Sc.C) and to the Scientific community. The ERC Sc.C also receives an annex to this technical report with public information: the list of evaluated projects, the name of the PI and the project HI. The evaluation is performed by independent external experts, which are remunerated and obliged to sign a confidential contract. The personal data is kept for statistical purposes or scientific or historical research purposes.
8	**Description of the categories of data subjects**	*Whose personal data are being processed?* ☐ EA staff (Contractual and temporary staff in active position ☐ Visitors to the EA ☐ Contractors providing goods or services ☐ Applicants ☐ Relatives of the data subject ☐ Complainants, correspondents and enquirers ☐ Witnesses ☒ Beneficiaries ☒ External experts ☐ Contractors ☐ Other, please specify _____
9	**Description of personal data categories** 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):	*Categories of personal data:* ☒ in the form of personal identification numbers: ERC Project number and Acronym ☐ concerning the physical characteristics of persons as

well as the image, voice or fingerprints

☐ concerning the data subject's private sphere

☐ concerning pay, allowances and bank accounts

☒ concerning recruitment and contracts

☐ concerning the data subject's family

☐ concerning the data subject's career

☐ concerning leave and absences

☐ concerning missions and journeys

☐ concerning social security and pensions

☐ concerning expenses and medical benefits

☐ concerning telephone numbers and communications

☒ concerning names and addresses (including email addresses)

☒ Other: please specify: data concerning the funded ERC project and any associated PoC projects: the description of action (i.e., the proposal submitted to the ERC and funded) and the final activity report of the ERC project, submitted by the PI.

☒ Other: please specify: data concerning nominated and contracted panel members and evaluators.

Categories of personal data processing likely to present specific risks:

☐ data relating to suspected offences, offences, criminal convictions or security measures

☐ data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct)

Categories of personal data whose processing is prohibited, with exceptions (art. 10 new Regulation):

☐ revealing racial or ethnic origin ☐
revealing political opinions ☐
revealing religious or philosophical beliefs ☐
revealing trade-union membership ☐
concerning health ☐
genetic data, biometric data for the purpose of uniquely identifying a natural person ☐
concerning sex life or sexual orientation

10	**Retention time (time limit for keeping the personal data)**	Personal data (e.g., information about funded projects, nominated and contracted experts in the SAP evaluation and the generated reports) is kept as long as follow-up actions to the consultation are necessary with regard to the purpose(s) of the exercise as well as for the consultation and its related management. All personal data will be deleted from databases or exported into an aggregated and anonymous form at the latest 10 years after the year

following closure of the evaluated projects.

Before the expiration of the 10 years period, personal data collected for this specific action may be transferred to an isolated, 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 server is given only upon request by the ERCEA Head of Department B and solely on a "need to know" and "need to do" basis.

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.

Is any further processing for archiving purposes in the public interest, historical, statistical or scientific purposes envisaged?
☒ yes ☐ no

If yes, indicate the further retention time: …

Data will be kept in this restricted server for 25 years for statistical or scientific purposes related to this specific action, and for an undefined period for historical purposes.

11	**Recipients of the data**	The information gathered for the evaluation and the raw data generated during the evaluation are accessible on a need to know basis to:

The information gathered for the evaluation and the raw data generated during the evaluation are accessible on a need to know basis to:
- selected ERCEA staff involved in the activity and on the basis of the assigned tasks
- external experts, under a confidential contract have access to data about projects.
- IT staff, mainly from ERCEA IT Unit and DIGIT.
- The ERCEA management.
- The European Research Council, for historical, statistical or scientific purposes (e.g., evaluation and impact assessment of the programme).

The outcome of the evaluation is two technical reports for each evaluation:
1. An internal technical document, which is provided to the members of the Scientific Council, ERCEA management and selected members of the ERCEA staff. This document contains an anonymized analysis of the project. There is an Annex that contains for each evaluated project the PI's name and family name, project abstract and Host Institution (this information is normally public and accessible in ERCEA website).

2. An external technical document, which is published in the ERCEA website. This document contains a summary of the analysis (anonymized) and no details of the evaluated projects.

One or more reports could be drafted analysing the results generated in two or more evaluations. For example, it is expected to draft a report summarizing the results for a specific Framework Programme (e.g., FP7, H2020), which may include, for transparency reasons, also the list of the experts that provided their service during that period.

		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.
12	**Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?**	Experts from EU and outside EU, who signed a confidential contract, access a minimised set of data, limited to the information of the evaluated projects, through the WebEva IT system. A summary of the technical report is published in the ERCEA website. This report does not contain any personal information. In limited cases, the results of specific projects can be explicitly published after the consent of the PI. Only projects with good or excellent results will be explicitly published.
13	<u>**General**</u> **description of the technical and organisational security measures**	The information gathered for the evaluation and the raw data generated during the evaluation are stored in the IT systems and ERCEA folders, accessible to ERCEA staff involved in the activity, IT staff, and DIGIT. The ERCEA relies on the DIGIT infrastructure and the safeguards.
14	**Information to data subjects / Data Protection Notice (DPN)**	Please note that the information on the processing of personal data should always be sent or made available to the data subjects (existing DPN may need to be updated). You can find the ERC's privacy policy regarding the SAP on the ERC website.