



Grant award and management procedures

PRIVACY STATEMENT

The Education, Audiovisual and Culture Executive Agency ("EACEA") is dedicated to respecting the privacy of natural persons participating in grant award procedures. As the evaluation and follow-up of the applications will require the recording and further processing of personal data by the EACEA, all personal data are dealt with in accordance with Regulation (EU) No 2018/1725 on the protection of personal data by the Union institutions, bodies, offices and agencies¹ ("the data protection regulation").

The following Privacy statement outlines the policies by which the EACEA collects, manages and uses the personal data for the grant procedure.

1. Who is responsible for processing your personal data (data controller)?

Regarding the collection and processing of personal data, the processing operations are under the responsibility of the Controller as mentioned in the Call for Proposals.

For any questions on your rights and the exercise of your rights related to the processing of personal data, feel free to contact the Controller, by using the contact information mentioned in the Call for Proposals, and by explicitly specifying your request.

2. Which personal data are processed?

Personal data processed concern the persons who apply for grants in the context of programmes managed by EACEA.

Applicants are the legal entities that apply for funding through the submission of proposals. Beneficiaries are the successful Applicants, i.e. participants in funded research projects.

Personal data is collected via the [Funding & Tenders Portal](#) (F&T Portal) that offers online electronic services such as proposal submission. See the '[List of identification data](#)' collected via the Funding & Tenders Portal.

General remarks of the Controller:

- Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health or sexual orientation may be received only in as much as these data appear spontaneously in the CV provided by the data subjects. Those data are not processed during the management of the call or the execution of the agreement, since they are not pertinent.
- The address, city, country, telephone and fax numbers, bank account numbers as well as e-mail addresses provided in the proposal are usually the professional ones related to the legal entity submitting the application. Thus, as a general rule (with the exception of cases where the applicant is a natural person), private addresses or bank account numbers etc. are not processed.

Further data are collected and processed for successful proposals with the aim of contracting the Grant Agreements. See the '[List of Grant preparation data](#)' collected for successful proposals.

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 Text with EEA relevance, *OJ L 295, 21.11.2018, p. 39.*

3. For which purpose do we process your data?

Upon reception of your application by the EACEA, your personal data is collected and further processed for the purpose of the management and administration of the grant award procedures, in particular to evaluate your proposal and/or organisation, to award funding if your proposal is successful, to manage and monitor grant agreements as well as to design, monitor and evaluate EU Programmes and Initiatives by the EU institutions and bodies.

4. Who has access to your personal data and to whom may it be disclosed?

Access to your personal data may be given on a need-to know basis to the following recipients:

a) **EACEA** staff as well as outside experts and contractor's staff who work on behalf of the EACEA for the purposes of evaluation of the applications and monitoring of the grant management.

b) Authorised staff of the European Commission, EU institutions and bodies in accordance with Article 9(1) of Regulation (EU) No 2018/1725 and particularly:

- DG BUDG: data relating to a natural person contained in the legal identity form or in the bank account form are submitted to other Commission services (DG BUDG) for central validation and processing.
- EU Delegations for some programs: they receive copies of the applications for eligibility check and assessment of the relevance.
- Research Executive Agency: personal data submitted by the applicants for the validation of their legal entities and financial capacity.

c) **Programme committee and European Parliament:** whether comitology or information procedure is applied to a selection, the members of the programme committee (representatives of the member states) receive information on selected proposals that may contain limited personal data. In addition, Commission staff prepares and participates in the meetings. Information on selected proposals is provided in parallel to the European Parliament.

d) **National Contact Points and Erasmus+ National Agencies:** under some programmes National Contact Points (national offices/national agencies) receive copies of the proposals from their countries that may contain some limited personal data.

e) **For Intra-Africa Academic Mobility Scheme:** the African Union Commission assist in the evaluation of applications and the monitoring of selected projects.

For Intra-ACP Academic Mobility Scheme: the ACP Secretariat, African Union Commission, CARIFORUM, Pacific Forum and South African Mission to the EU assist in the monitoring of the selected projects.

f) **Members of the public:** At the end of each selection a description of selected projects (so-called 'compendia') is published in the Agency's website. The project description may contain the name of the coordinator, phone and fax number, email and address. In addition, project data are also made available to the public through the European Commission website.

In case of control or dispute the bodies charged with a monitoring or inspection task in application of Union law (e.g. Internal Audit Service, Internal Audit Capacity, European Commission, OLAF, EU Courts etc.).

5. How do we protect and safeguard your data?

The collected personal data and all related information are stored on the premises of the EACEA and on servers of a computer centre of EACEA.

The EACEA premises and operations of all computer centres abide by the Commission's security decisions and provisions established by the Security Directorate of Directorate General Human

Resources and Security.

All data in electronic format (e-mails, documents, uploaded batches of data etc.) are stored either on the servers of the European Commission or of its contractors; the operations of which abide by the European Commission's security decision of 16 August 2006 [C(2006) 3602] concerning the security of information systems used by the European Commission;

Access rights and controls are secured via the ECAS (European Commission Authentication Service) granted to persons authorised to get access to specific documents (call management, grant management, etc.).

All stakeholders involved in the evaluation and granting process are reminded to use the personal data received only for the purpose for which they were transmitted and to disregard all irrelevant and excessive data received with the proposals.

6. What are your rights concerning your personal data and how can you exercise them?

Under the provisions of the data protection regulation, you have the right to:

- Request to access the personal data EACEA holds about you;
- Request a rectification of your personal data where necessary;
- Request the erasure of your personal data;
- Request the restriction of the processing of your personal data;
- Request to receive or to have your data transferred to another organization in commonly used machine readable standard format (data portability).

As this processing of your personal data is based on point of Article 5(1)(a) of the data protection regulation, please note that you have the right to object to processing of your personal data on grounds relating to your particular situation under the provisions of Article 23 of the data protection regulation.

7. How long do we keep your personal data?

Your personal data are kept for the following periods²:

- Files relating to grant procedures, including personal data, are to be retained in the service in charge of the procedure until it is finalised, and in the archives for a period of 10 years after the closure of the project. However, unsuccessful applications have to be kept only for 5 years following adoption of the award decision.
- Until the end of a possible audit if an audit has started before the end of the above mentioned period.
- After the period mentioned above has elapsed, the files containing personal data are sampled to be sent to the historical archives of the Commission for further conservation. The non-sampled files are destroyed.

8. Your right to have recourse in case of conflict on any personal data issue

In case of conflict on any Personal Data Protection issue you can address yourself to the Controller at the address mentioned in the Call for Proposals.

You can also contact EACEA's Data Protection Officer at the following email address: eacea-data-protection@ec.europa.eu

You may lodge a complaint with the European Data Protection Supervisor at any time:

Website: <http://www.edps.europa.eu>; E-mail: edps@edps.europa.eu.

9. On which legal basis are we processing your personal data?

² In line with Common Retention List (CRL), SEC (2019) 900 of the Commission of 15/04/2019, Annex 1, points 7.1.2, 7.1.3 and 12.6.1.

The Agency is processing personal data on the basis of Article 5(1)(a) of the Regulation(EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018:

(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 (to be laid down in Union Law);

- THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION, and in particular Articles 165 – 167;

- REGULATION (EU, EURATOM) No 2018/1046 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 18 July 2018 on the financial rules applicable to the general budget of the Union amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012: in particular Article 188 and Articles 194-204 on the award procedure for grants;

- COUNCIL REGULATION (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes : Article 6.

- COMMISSION IMPLEMENTING DECISION of 18 December 2013 establishing the 'Education, Audiovisual and Culture Executive Agency' and repealing Decision 2009/336/EC (2013/776/EU).

- COMMISSION DECISION C(2013)9189 of 18 December 2013 delegating powers to the EACEA as last amended by the Commission Decision C(2019)1299 of 19.02.2019.

And

(c)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.