

Privacy Statement regarding expert selection and management at EIT Digital

This privacy statement provides information relating to the processing of personal data by EIT Digital IVZW (hereinafter EIT Digital) when managing the data relating to the selection and contracting of external experts for participating in the evaluation Activity proposals received by EIT Digital.

The processing of personal data of the candidates follows the provisions of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (hereinafter General Data Protection Regulation or GDPR) and said processing is also carried out in respect of the principles included in the Regulation (EU) 2018/17251 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 (hereinafter “the Data Protection Regulation of the European institutions”).

What is personal data and what is a personal data processing operation?

Personal data means any information relating to an identified or identifiable natural person (‘data subject’). An identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, and identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Processing means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automatic means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Who are the data subjects?

Candidates for external expert assignments by EIT Digital; experts selected for assignments by EIT Digital.

Who is the controller of the data processing operation?

The data controller performing the personal data processing operation of the EIT Digital is the Data Protection Officer (DPO) entitled to approve the outcome of the selection procedure in question and to sign the expert contract on behalf of EIT Digital.

What is the purpose of the data processing operation?

The purpose of the processing is to select and contract external experts to support EIT Digital, e.g. for the evaluation of Activity proposals submitted to EIT Digital, or any other support requiring selected expertise from persons not related to EIT Digital or its partners. The data processing operations include the collection, recording, organisation, storage, consultation, use, disclosure by transmission, erasure and destruction of personal data. In particular, the personal information of the experts provided in their self-registration form are accessed, evaluated, stored and eventually destroyed. The data are used to identify the most suitable experts to assist EIT Digital, and subsequently for the management of expert contracts concluded with the selected experts, including the payment of fees and the reimbursement of expenses.

What types of data are processed?

In the context of the selection and contracting of external experts, the following types of personal data are processed:

- Identification data (name, surname, nationality);
- Contact information (postal address, email);
- Information on the area of expertise (specialisation, research interest);
- Information on professional experience (e.g. as provided in the CV).
- Financial data: (name and address of the account holder, bank name, IBAN/BIC or account number, etc)
- Financial information regarding the costs claimed by the expert (e.g. travels details, costs and related receipts).

Publication on the EIT Digital Intranet:

EIT Digital shall be entitled to publish the names of experts after completion of their engagement.

Who has access to the personal data (data recipients)?

Within EIT Digital:

- The personal data of the candidates is processed by EIT Digital staff in charge of the selection and contracting of experts (Chief Innovation Officer, Chief Education Officer, COO, Internal auditor, operations staff, assistants).
- For the purpose of handling review or audit procedures, personal data may be disclosed to the European Institute of Innovation and Technology (EIT), European Anti-Fraud Office (OLAF) European Ombudsman, the European Data Protection Supervisor, the General Court and the European Court of Justice upon request and to the extent necessary for handling the review procedure.

How long is the personal data retained?

The personal data of the selected experts is retained for *5 years* after the end of the financial framework programme which serves as a basis for the relevant EIT Digital activities and for the expert assignment.

What are the rights of the data subjects? Who should be contracted in case of queries or complaints?

Candidates for expert positions and selected experts have the right for information and the right to access their personal data, as ensured by Article 13 and 15 of the GDPR. In addition, candidates have the right for rectification of their inaccurate personal data concerning them without undue delay; and the right to have incomplete personal data completed, in accordance with Article 16 of the GDPR. The exercise of such rights may not result in unequal treatment of the candidates and may not be contrary or harmful to the aim of the selection procedure.

Candidates and selected experts have the right to obtain the erasure of their personal data in accordance with Article 17 of the GDPR and in particular in the cases when the personal data are no longer necessary in

relation to the purposes for which they were collected, if the data subject withdraws its consent, or in case of unlawful processing.

Data subjects have the right to restriction of processing of personal data in accordance with Article 18 of the Regulation, and the right to object on grounds relating to their particular situation in accordance with Article 21 of the GDPR.

The rights of the data subject can be exercised only based on a written request addressed to DPO@eitdigital.eu or privacy@eitdigital.eu. As a general rule, the requests for information, access, rectification, erasure restriction are handled without undue delay and in any event within one month of receipt of the request; this period may be extended by further two months where necessary, taking into account the complexity and number of requests. In case the data subject contests the accuracy of the data, upon request, the data is restricted immediately for the period of verification of the accuracy of the data, not exceeding one month.

Data subjects have the right of recourse at any time to the European Data Protection Board (matters relating to the processing of their personal data).

What is the legal basis of the processing?

Article 6 of Regulation (EC) No 294/2008 of the European Parliament and of the Council of 11 March 2008 establishing the European Institute of Innovation and Technology⁴, as amended by Regulation (EU) No 1292/2013 of the European Parliament and of the Council of 11 December 2013⁵ ("EIT Regulation").

Article 40 of Regulation (EU) No 1290/2013 of the European Parliament and of the Council of 11 December 2013 laying down the rules for participation and dissemination in "Horizon 2020 – the Framework Programme for Research and Innovation (2014-2020)" and repealing Regulation (EC) No 1906/2006.

Grounds for lawfulness:

In line with Article 6 (e) of the General Data Protection Regulation, the 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 Controller.