

Annex D. Privacy statement

1. Introduction

This Privacy Statement explains the reason for the collection and processing of your personal data, the way we protect your personal data provided and what rights you may exercise in relation to your data (the right to access, rectify, block etc.). The evaluation of Pilot Proposals presented in reply to this Request for Applications and the management of funded actions requires the processing of personal data and is therefore subject to Regulation (EU) No 2016/679—also known as General Data Protection Regulation (GDPR).

This Privacy Statement thus concerns the processing of Applicants and Third Parties personal data within the context of this Request for Applications. Applicants are the legal entities that apply for funding through the submission of Pilot Proposals. Third Parties are the successful Applicants, i.e. proposers of the awarded Actions.

It should be noted that in addition to receiving a Sub-grant, Third Parties operating in the context of the awarded Actions are also supported by the technical advice of one or more SOILCRATES partners. Therefore, the relevant processes for this Privacy Statement do not only include the reception of Pilot Proposals under the provision of the Request for Applications, their evaluation, award or rejection, and the subsequent signature of the Sub-grant agreement, its management and follow-up; but also a more direct involvement in the development of awarded Actions while their results are being produced.

In all such processes, the SOILCRATES Consortium—here represented by the WP2 Project Coordinator, CNAM—is committed to protecting and respecting the privacy of Applicants, Third Parties and the remainder of this Privacy Statement outlines our Privacy Policy as of the date of publication of the Request for Applications.

2. Which data do we collect, process and when?

The personal data and information relevant for this Privacy Statement is provided in your application form (see Annexes A and B to the Request for Applications) for the immediate purpose of allowing a correct evaluation and follow-up of the Pilot Proposal. This includes:

- Name of the Beneficiary;
- Tax Identification Code or VAT Registration Number;
- Bank account reference (IBAN and BIC codes);
- Contact details (e-mail, telephone number, fax number, postal address, country of residence, internet site);
- Declaration on honour that the Third Party is not in any exclusion situation referred to in articles 106 and 107 of the Financial Regulation (EU, Euratom) No. 2015/1929;
- Information about the Third Party's representative: Name and Surname, Birthplace and Date of Birth, Title, Position, Telephone number, Mail address, Passport/ID number, Tax Identification Code, Signature;
- Other personal data and information, concerning Third Parties, possibly including pictures and photos if provided, will be delivered by you within the technical reports related to the Action and the justifications of the costs you have incurred into, with the purpose of receiving the final payment of the Sub-grant, in line with the provisions of the Request for Applications.

In addition to the above, information on the pilot's progress including some personal data of the participants may be shared verbally or in writing by you with the SOILCRATES partner in charge of providing technical advice and support during the execution of the pilot activities.

3. Is this collection and processing necessary?

Unless we collect the above data and information, it will not be possible for us to evaluate and award the Pilot Proposals received; it will not be possible to enter into a Third-Party agreement (see Annex C to the Request for Applications) with the successful Applicants; it will not be possible to issue the final payment demanded at the end of a successful Action; it will not be possible to support it with technical advice during its course.

However, all partners and stakeholders involved in data collection and processing are reminded to use the personal data and information only for the purpose for which they were transmitted and to disregard all irrelevant and excessive data received with the proposals.

4. Is this data and information private?

Generally speaking, no. For example, the address, city, country, telephone and fax numbers, bank account numbers as well as email 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. 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 Applicants. Such information is however not pertinent and therefore not processed during the management of the Request for Applications or the execution of the Third-Party agreement.

5. Is this data and information subject to further publication?

Generally speaking, yes. For example, a limited subset of personal data (including, if provided, pictures and photos) may be published on the SOILCRATES website as well as on other portals of the European Union and/or disseminated by any other means, including the identification of the Third Party, any personal data included in the publishable summary of the short final report of the Action, and the names and contact details of the administrative contacts of the Beneficiary. However, the contents of the Action's short final report may be restricted or even denied publication, e.g. in case there are specific intellectual property rights to be protected.

Further personal data (usually anonymized or treated in aggregate form) may be processed for the purpose of delivering statistical studies, impact evaluation analyses of the project, or policy recommendations based on the Request for Applications results.

6. How do we process your data?

The data you provide in your application forms is collected through a platform managed by a EUSurvey and stored on their server located in Data Centre of the European Commission. For the avoidance of any doubt, there will be no transfer of data to third countries outside those represented in the SOILCRATES project consortium. The privacy policy of the platform manager can be retrieved here: <https://ec.europa.eu/eusurvey/home/privacystatement>. On an on-going basis, all received applications are downloaded from the server and shared with the SOILCRATES partners to evaluate them. If the proposal is successful, the Project Coordinator will use some data to prepare and share the Third-party agreement to be signed by you. In addition, the full details of the application will be

shared with an identified SOILCRATES partner (known by you as its name will be included in the Third-Party agreement) acting as a “Referent” to your Pilot Project. At the end of the Action, we will receive the contractually required reports and the additional documentation, which will be stored by the Project Coordinator on a secure server and shared only with its staff and the external auditor appointed for the certification of costs.

7. Who has access to your data?

As a general rule, staff and external subcontractors of all SOILCRATES partners, to the extent they have been appointed to work on the project, may receive full or partial access rights to your data and information. A limited subset of this information may be used by some Partners for external communication purposes, e.g. within presentations delivered to conferences or articles prepared for scientific journals. Staff members of EU bodies and agencies may be granted access for the execution of institutional duties, such as the verification of compliance with the law of the Request for Applications related operations. All recipients are reminded of their obligation to process the personal data provided to them only for the purposes for which they were transmitted.

8. What happens to data and information provided by non-successful Applicants?

As the general principle is that personal data and information must be collected as necessary for the purposes for which they were provided, they are not retained if becoming irrelevant. However, there is a legal need to keep records of the evaluation process, therefore we will store all applications in our secure servers for a certain period of time (see next point below). Another exception to this rule may be that the SOILCRATES consortium decides to monitor the underlying initiative and ask its proposers to supply some ‘ad hoc’ information with the purpose of publishing it on the SOILCRATES website or using it in the context of studies of various scientific nature. These circumstances will be expressly described and a specific consensus to publication will be required.

9. For how long will we keep your data?

For information on beneficiaries receiving EU funding, personal data (in electronic and/or any other format) is retained for 10 years after the closing of the Action. Personal data related to unsuccessful proposals are kept for up to 5 years after the closure of the Request for Applications for which the data have been collected or updated. This applies also to data contained in previous outdated versions of proposals and in withdrawn proposals.

Anonymous or encrypted data can be retained for a longer period and further processed for historical, statistical, or scientific purposes, in accordance with the procedures established by the data controller.

Should you provide an extract of your judicial records, it would not be kept for more than 2 years following the accomplishment of the particular procedure. In any case, personal data contained in cost justification documents are deleted where possible when this data is no longer necessary for budgetary control and audit purposes.

10. How do we protect your data?

All data in electronic format (e-mails, documents, uploaded batches of data etc.) are stored on secure servers of the SOILCRATES Consortium, the European Commission or of selected sub-contractors. Access rights and controls are enabled via authentication systems granting access to specific documents only to authorised persons.

11. What are your rights and how can you exercise them?

At any point in time, any natural person or legal entity is entitled to access own personal data and information, asking the Project Coordinator to rectify/block or erase them in case they are inaccurate or incomplete. One can exercise the above rights by contacting Mr Emiel Elferink, the SOILCRATES Data Protection Officer.

12. Special provisions concerning the Early Detection and Exclusion System (EDES) Database

In some cases, information provided may lead to an entry in the Early Detection and Exclusion System (EDES) Database directly managed by the European Commission, in compliance with Regulation (EU, Euratom) 2015/1929. Information exchanged within the EDES is centralised in this database. The database contains information on economic operators that could represent a threat to the Union's financial interests, economic operators who are in one of the exclusion situations listed in Article 106 (1) and economic operators on which financial penalties are imposed as per Article 106 (13) of Regulation (EU, Euratom) 2015/1929, in the form of cases created therein. The EDES foresees the right of economic operators to be informed of the data stored in the database upon their request to the Commission. The information contained in the database will be updated, where appropriate, following a request for rectification or erasure of the data stored. For more information, please visit:

http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm#SA P

The detailed description of the processing operations relating to financial controls and external audit for Research projects are described in the notification DPO-3852 of the Directorate-General for Research and Innovation, published in the register of the European Commission Data Protection Officer (<http://ec.europa.eu/dpo-register>). The Privacy Statements of the Controllers for external audit and control are published on the Funding & Tenders Portal (see <https://ec.europa.eu/info/fundingtenders/opportunities/portal/screen/support/legalnotice>).

13. Contact information

If you have comments or questions, any concerns or a complaint regarding the collection and use of your personal data, please feel free to contact the SOILCRATES Data Protection Officer referenced above, Mr Emiel Elferink, or simply the SOILCRATES project by sending an email to fstp@soilcrates.eu.

For general information on data protection, you may also contact the European Data Protection Supervisor.

The Commission Data Protection Officer publishes the register of all operations processing personal data. You can access the register at the following link: <http://ec.europa.eu/dpo-register>

This specific processing will be notified to the Commission DPO.

With my signature, I certify that I carefully read and understood the contents of this Privacy Statement.

For the Applicant:

Name Surname

Title

Signature

Place and Date

Disclaimer

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