



PRIVACY STATEMENT

for processing of personal data related to grant award and management procedures

1. Context and Controller

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 (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data¹. The following Privacy statement outlines the policies by which the EACEA collects, manages and uses the personal data for the grant procedure.

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.

2. What personal information do we collect, for what purpose, under which legal bases and through which technical means?

Types of personal data

Personal data collected and further processed concern the applicant, its staff or subcontractors (natural persons). Information may contain the following data:

Information about the Organisation:

- Name of the organisation;
- Contact details (e-mail address, business telephone number, fax number, postal address, company and department, country of residence, internet address);
- Certificates for social security contributions and taxes paid;
- Bank account reference (IBAN and BIC codes), VAT number;
- list of personnel capable of performing the tasks described in the Call specifications,
- Declaration on honour that the Organisation is not in one of the exclusion situation referred to in article 93 and 94 of the Financial Regulation.

Information about the applicant's representative and staff members:

- Name, First name, Title, Position, Telephone number, Mailing address, passport number, ID number, extract from judicial records, signature;
- Information for the evaluation against the eligibility and selection criteria like e.g. personal data included in Curriculum Vitae of staff members, expertise, technical skills and languages, educational background, professional experience including details on current and past employment.

¹ [Regulation \(EC\) No 45/2001](#) of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data, OJ L8 of 12.1.2001, p. 1.

Purpose

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, including in particular

- the evaluation of technical and professional capacity of applicants, their staff and subcontractors where applicable;
- award funding;
- financial follow-up and monitoring of the grant agreements.

Legal bases

The legal bases for the processing operations are:

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

COUNCIL REGULATION (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248, 16.9.2002, p. 1), as subsequently amended ('Financial Regulation'): in particular Article 109 and Articles 114-116 on the award procedure for grants.

COMMISSION REGULATION (EC, EURATOM) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 357, 31.12.2002, p. 1), as subsequently amended ('Implementing Rules'): in particular Articles 173-178.

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 programmes²: Article 6.

COMMISSION DECISION C (2009) 3355 final of 6 May 2009 setting up the Education, Audiovisual and Culture Executive Agency for the management of Community action in the fields of education, audiovisual and culture in application of Council Regulation (EC) No 58/2003³: Article 4.

3. 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) **Other members of the European Commission:**

- 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.

c) **Programme committee and European Parliament:** whether commitment 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:** under some programs National Contact Points (national offices/national agencies) receive copies of the proposals from their countries that may contain some limited personal data.

e) **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 EVE database (EVE is an electronic platform for the dissemination

² OJ L 11 of 16.1.2003, p. 1.

³ Available on EACEA's website: http://eacea.ec.europa.eu/about/about_eacea_en.php.

and exploitation of results of projects and results of programmes implemented by the Directorate General for Education and Culture).

f) 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.).

4. How do we protect and safeguard your information?

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.

5. How can you access, rectify or delete your information?

In case you wish to verify which personal data is stored on your behalf by the responsible Controller, have it modified, rectified, or deleted, please make use of the contact information mentioned in the Call for Proposals, by explicitly describing your request.

NB: Considering the competitive nature of the selection process, the right to rectify information can only apply to the factual data processed within the concerned grant award procedure. The right to rectify these data can only be exercised up to the closing date for submission of applications. However, inaccurate identification factual data may be rectified at any time during and after the grant award procedure.

6. How long do we keep your personal data?

Your personal data are kept for the following periods⁴:

- 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 3 years following adoption of the award decision.
- Until the end of a possible audit if one 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.

7. Contact information

For any questions on your rights and the exercise of your rights related to the processing of personal data (like access and rectification of your 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.

8. Recourse

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

Should the conflict not be resolved by the Controller or the Data Protection Officer 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.

⁴ In line with Common Conservation List (CCL), SEC (2007) 970 adopted by the Commission on 04/07/2007, Annex 1, p.11, point 7.1.2, 7.1.3 and p. 23, point 12.6.1.