

INFORMATION ON THE PROTECTION OF PERSONAL DATA IN LINE WITH ARTICLE 13 OF THE EU GDPR REGULATION No 679/2016

FOREWORD

Following the introduction of the French regulations on Data Protection (known as ‘GDPR’), the **EUROPEAN SCIENCE FOUNDATION** updated its own technical and organisational procedures to guarantee the security of the personal data it collects and handles in carrying out its activities.

In compliance with the principle of ‘transparency’¹ as stipulated in article 12 of the GDPR, we hereby provide you with all the information to which you have a right when the **EUROPEAN SCIENCE FOUNDATION** processes your personal data, in line with article 13 of the GDPR.

This policy on the protection of personal data (the ‘policy’) describes how your data is obtained, used and potentially communicated to third parties in the course of our activities. It also describes how you can access these data, update them and, in cases where this is possible, choose how they may be used.

In order to comply with the principles of Personal Data Protection as laid down by the GDPR and the law of 6 January 1978 (known as ‘Data processing and liberties’), the **EUROPEAN SCIENCE FOUNDATION** commits to handling such data only in the following ways:

- a) Lawfully, ethically and transparently
- b) For explicit and legitimate reasons
- c) Appropriately, adequately and only as strictly necessary to the purpose for which they are being held
- d) Accurately and regularly updated as far as is possible
- e) Held in a format permitting identification of the persons concerned for only as long as the activity necessitates
- f) Processed in such a way as to guarantee the appropriate security of the data

The **EUROPEAN SCIENCE FOUNDATION** lays out below the conditions which apply to the processing of your personal data.

¹ Article 12 du RGPD

The identity of the person doing the processing – the Delegate for Personal Data Protection

This person is: the **EUROPEAN SCIENCE FOUNDATION**, represented by **Mr. Nicolas WALTER, CEO**

In order to protect personal privacy and personal data, the **EUROPEAN SCIENCE FOUNDATION** has appointed a Data Protection Officer (DPO) attached to the CNIL. The DPO carries out his/her duties independently at the **EUROPEAN SCIENCE FOUNDATION**.

Contact details for the DPO : **Mme Isabelle VONESCH** - database@esf.org

Joint Responsibility

In the carrying out of its activities, the **EUROPEAN SCIENCE FOUNDATION** may work, on certain assignments, with partners on joint missions which may entail the concurrent processing of personal data, such as, without limitation:

- **Grant Evaluation & partnerships**
As coordinator of a project, the **EUROPEAN SCIENCE FOUNDATION** is responsible for the processing of the data concerned.
- **Management of European contracts and other projects involving multiple stakeholders.**

Such processing is decided in consultation with these partners. **The EUROPEAN SCIENCE FOUNDATION** is only responsible for the processing of data for a project it has instigated. Actions undertaken by its partners are excluded, even in a case where the **EUROPEAN SCIENCE FOUNDATION** acts as project coordinator.

All the parties involved commit to the respect of their obligations according to GDPR. Where appropriate or otherwise required by applicable law, including, without limitation, GDPR, the **EUROPEAN SCIENCE FOUNDATION** shall implement the necessary framework to accompany any joint controllership situation, such as by negotiating and entering into internal agreement delineating the responsibilities and obligations of each party engaged in the joint controllership situation, in accordance with Article 26 of the GDPR.

CATEGORIES OF THE PERSONAL DATA TO BE PROCESSED

In the performance of his/her assignments, the person responsible for the data will process the following categories of data, either directly or indirectly:

- Personal data, such as (listed simply and without limitation) identification and biographical data on your professional experience and expertise.
- Information on the organisation or the people representing you;
- Financial data for the carrying out of contracts or expenses.

Data sources:

The **EUROPEAN SCIENCE FOUNDATION** collects data, including personal data, supplied by third parties or accessible by everyone.

- Data accessible to the public, such as contact information or career details etc.
- Data extracted from bibliographical sources
- List of contacts furnished by ministries, partners or European bodies such as the European Commission.

The **EUROPEAN SCIENCE FOUNDATION** may also obtain personal data concerning you from other sources than you or publicly accessible or available sources. In particular, the **EUROPEAN SCIENCE FOUNDATION** may, from time to time, receive and obtain personal data concerning you from privileged third parties which it shares privileged relationships with in relation to its broader activities and operations. In such instances, the **EUROPEAN SCIENCE FOUNDATION** shall inform the data subjects concerned that it has obtained personal data concerning them and, provide them with information on the source of the personal data and, unless the transferor of the personal data concerned has already done so prior to the transfer of the personal data, the purposes of its processing, thereby leaving them the opportunity to the data subjects to object to such further processing, as the case may be.

LEGAL BASIS AND PURPOSE (COMPULSORY OR OPTIONAL) OF PROCESSING

The processing of your data is necessary in the following cases:

- For the legitimate needs of the **EUROPEAN SCIENCE FOUNDATION** in the performance of its activities
- For the contractual relationship you wish to forge with the **EUROPEAN SCIENCE FOUNDATION**
- To protect the legitimate interests of the **EUROPEAN SCIENCE FOUNDATION** by enabling it to carry out all administrative, commercial, financial and fiscal duties emanating from the above relationship, necessary to the fulfilling of its legal responsibilities.
- With your consent for any other non-essential activity in the carrying out of its activities.

Personal data which will be processed are for the following purposes:

- Management of contacts and project member details, creation of directories and organigrams, management of access and rights in the case of shared files
- Communication and information dissemination of the **EUROPEAN SCIENCE FOUNDATION's** projects and missions
- Management of data in line with contractual and pre-contractual obligations
- Administrative accounting for the legitimate needs of the organisation according to legal obligations in force in France
- Performance of organisational, administrative, financial and accounting activities, whatever the nature of the data being processed
- Surveys, statistics and reports.

The **EUROPEAN SCIENCE FOUNDATION** may also collect or otherwise process personal data for ancillary purposes which are not incompatible with the purposes listed in this Section, notably in relation to its broader activities and operations. In the event personal data concerning you are being collected or otherwise processed for such ancillary purposes which the **EUROPEAN SCIENCE FOUNDATION** determines as incompatible with the primary purposes for which it was initially collected or otherwise processed, the **EUROPEAN SCIENCE FOUNDATION** shall inform the data subjects concerned by such processing with a view to allowing them to object to such processing, as the case may be.

PROCESSING METHODS

Processing may be done manually or via electronic or automatic systems. It will be carried out at the above-mentioned office by the person responsible for the processing, or in other offices or those of recognised third parties and will cover all operations envisaged by article 4, paragraph 1, no. 2) of the GDPR (obtaining, recording, processing, etc.), in line with the limits and conditions laid down by articles 5 and 25 of the GDPR, as necessary to the processing in question and including communication to the parties referred to under the following heading.

RECIPIENTS OF PERSONAL DATA

Within the limits of their respective rights, the following are recipients of all or part of these data:

- Staff of the **EUROPEAN SCIENCE FOUNDATION**, according to their positions and responsibilities .
- Partners and contractors under contractually linked to the data processing responsible for the activities of the **EUROPEAN SCIENCE FOUNDATION**.

Third parties are in the following categories:

- Contractors assisting in the activities above mentioned. We supply them only with those personal data necessary for the carrying-out of their tasks. We make it clear to them that they have an obligation to safeguard the security of the data and not use it for any other activities.
 - Sub-contractors providing services used by the person responsible for data in the information and telecommunication networks, in the development and maintenance of web sites and the cloud, and in all maintenance activities associated with computer systems (including e-mail);
- Professional collaborators, agencies or service and consulting companies;
- Auditors and bodies verifying and certifying the activities of those doing the processing;
- Competent authorities monitoring compliance with legal obligations and public bodies' regulations on their request.

Notwithstanding the above, if, on limited and exceptional occasions other than those listed in this Section, the **EUROPEAN SCIENCE FOUNDATION** must or is otherwise required to transfer personal data concerning you to third parties, notably, without limitation, in relation to ancillary data processing purposes, whether or not it determines such purposes as compatible in accordance with this Policy, the **EUROPEAN SCIENCE FOUNDATION** shall always inform the data subjects concerned

by such transfer of the specifics of any such transfer, a.o. the context of the transfer, the identity of the transferee and the dataset concerned, with a view to allowing the data subjects concerned to object to such transfer, as the case may be.

In such event, the **EUROPEAN SCIENCE FOUNDATION** shall always make sure that personal data is only transferred to third parties capable of guaranteeing at least an equivalent level of data and security protection as the **EUROPEAN SCIENCE FOUNDATION's**.

Any other type of communication or dissemination will only be with the express permission of the person concerned.

Responsibility for Processing

Contractors in the above categories act as sub-contractors or as wholly responsible for the handling of data. The list of our sub-contractors is regularly updated and available on request to the office of the person responsible for data processing.

Compliance with the law, response to legal demands, damage control and protection of rights

The EUROPEAN SCIENCE FOUNDATION may divulge your details, including personal details, to the courts, to governmental authorities, law enforcement agencies or authorised third parties where ordered or permitted by law, or if such disclosure is reasonably judged to be necessary:

- To comply with legal obligations
- In response to verified requests in the case of a criminal investigation or an alleged or suspected illegal activity, or of any activity which might expose us or you to a legal liability.

Such disclosures could be required in order to comply with our legal obligations, in the legitimate interest of a third party aiming to maintain the security of our offices, to prevent damage or crime, to uphold or defend legal rights or to prevent any damage whatsoever.

TRANSFERRING DATA ABROAD

Because of the way IT infrastructure is set up and because services are accessed over the internet and in the cloud, your data may be shared with organisations linked contractually to the **EUROPEAN SCIENCE FOUNDATION**, but whose offices are in countries outside the EU.

These transfers of information are made in compliance with the rules and limits laid down by the relevant laws.

- **The transfer of personal data is made only to a foreign country or an international organisation providing a proper level of protection of these, according to the criteria laid down by the European Commission (article 46 of the GDPR)**

- The handling of personal data is carried out **by an organisation providing appropriate guarantees** and persons concerned have at their disposal enforceable rights and effective dispute settlement channels (article 46 of the GDPR).
- The transfer of data is carried out under the **BCR Binding Corporate Rules** (article 47 of the GDPR)
- The transfer of personal data is **subject to a waiver** described in article 49 of the GDPR:
 - o The explicit consent of the person concerned
 - o Transfer necessitated by terms of contract
 - o Transfer necessitated by substantial grounds of public interest
 - o Transfer necessitated by a legal act
 - o Transfer necessitated to protect the vital interests of the person concerned.

THE EUROPEAN SCIENCE FOUNDATION, with its DPO, checks that transfers carried out by contractors comply with the rules of the GDPR and fulfil one of the above criteria.

In the case of international projects, the data may require transfer outside of the European Union. Below are listed the processing operations for which the organisation is responsible and which require transfer:

- Web site audience analysis and statistics – Google Analytics, USA with your consent (cookies)
- Surveys, online forms, information and newsletter campaign routers, development and maintenance of web sites/sub-contractors in USA and UK providing appropriate guarantees.

DATA RETENTION

Personal and identifiable data are kept only for as long as necessary for the purpose for which they have been processed.

Storage time of the data is relative:

- to the length of the project, including the time necessary for archiving, anonymising or destruction
- to the purpose for which it is handled. As soon as the **EUROPEAN SCIENCE FOUNDATION** has no further need of your personal data for services or activities, it will anonymize or destroy it
- to the duration of the contractual relationship. The data can be kept for up to 10 years from the end of contract.

In the case of a legitimate reason, the data may be kept for longer than envisaged for its intended purpose: to establish, exercise or defend a right before the courts.

RIGHT OF ACCES TO PERSONAL DATA AND OTHER RIGHTS

All persons whose data is processed by the **EUROPEAN SCIENCE FOUNDATION** have the following rights where their personal data is concerned:

- a right of access
- a right to modify the data
- a right to deletion
- a right to restriction of processing
- a right of opposition

The **EUROPEAN SCIENCE FOUNDATION** will not be legally obliged to meet a request deriving from these rights in all cases.

The Data Protection Delegate (DPO) of the **EUROPEAN SCIENCE FOUNDATION** is your contact person for all requests to exercise these rights in the processing of your data.

Contact the DPO online:

database@esf.org

Contact the DPO by post:

DPO – FONDATION EUROPEENNE DE LA SCIENCE
1 QUAI LEZAY MARNESIA
BP90015
67080 STRASBOURG CEDEX

If, after having contacted us, you believe that your rights concerning the protection of your personal data have not been respected, please file your complaint to the controlling authority. In France, this is the CNIL, 3 Place de Fontenoy, TSA 80715, 75334 PARIS CEDEX 07.