

## 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’<sup>1</sup> 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.

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<sup>1</sup> Article 12 du RGPD

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

## 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 'expert lookup', edited by Elsevier and other bibliographical sources
- List of contacts furnished by ministries, partners or European bodies such as the European Commission.

## 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

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- Performance of organisational, administrative, financial and accounting activities, whatever the nature of the data being processed
- Surveys, statistics and reports.

## 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.

Any future 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:
  - The explicit consent of the person concerned
  - Transfer necessitated by terms of contract
  - Transfer necessitated by substantial grounds of public interest
  - Transfer necessitated by a legal act
  - 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.

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Contact the DPO online:

[database@esf.org](mailto:database@esf.org)

Contact the DPO by post:

DPO – FONDATION EUROPENNE 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

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