



**European Research Council**  
Executive Agency

Established by the European Commission

## RECORD OF PERSONAL DATA PROCESSING

Art. 31 of the REGULATION (EU) 2018/1725 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 (henceforth the "Data Protection Regulation")

Record n°

DPO 43-2020

In accordance with Article 31 of the data protection regulation, individuals whose personal data are processed by the Executive Agency in any context whatsoever are to be protected with regard to the processing of personal data and the Executive Agency has to keep records of their processing operations.

This record covers two aspects:

1. Mandatory records under Art 31 of the data protection regulation (recommendation: make the header and part 1 publicly available)
2. Compliance check and risk screening (initial; part 2 is internal only to the Agency, not published)

The ground for the record is (tick the relevant one):

- Regularization of a data processing operation already carried out
- Record of a new data processing operation prior to its implementation
- Change of a data processing operation
- Migration from notification to record

### Use of photos and audio-visual material in relation to the implementation of the ERC programme

1	Last update of this record if applicable	DPO 37-2012, Ares(2012)1040903 - 07/09/2012
2	Short description of the processing	Photos, visuals, videos and podcasts are used for communication purposes across ERC channels to illustrate and to give more visibility to the ERC and its achievements. Personal data is processed in order to collect, produce and disseminate audio-visual material while respecting legal obligations, including copyright mentions Audio-visual
<b>Part 1 - Article 31 Record</b>		
3	Function and contact details of the controller	Head of Unit ERCEA.A2 Communication via <a href="mailto:ERC-INFO@ec.europa.eu">ERC-INFO@ec.europa.eu</a>

4	<b>Contact details of the Data Protection Officer (DPO)</b>	<a href="mailto:ERC-DATA-PROTECTION@ec.europa.eu">ERC-DATA-PROTECTION@ec.europa.eu</a>
5	<b>Name and contact details of joint controller (where applicable)</b>	N/A
6	<b>Name and contact details of processor (where applicable)</b>	<p>Directorate-General for Informatics (DG DIGIT)</p> <p><a href="mailto:DIGIT-DATA-PROTECTION-COORDINATOR@ec.europa.eu">DIGIT-DATA-PROTECTION-COORDINATOR@ec.europa.eu</a></p> <p>External contractors may be hired for ad hoc activities with the task to take pictures or produce audio-visual material: photographers, video producers or events management companies. Information on the processor is provided in the dedicated DPN.</p>
7	<b>Purpose of the processing</b>	<p>The European Research Council (ERC) produces and disseminates a range of audio-visual products to support the dissemination and communication of the achievements and activities of the ERC and the researchers it funds.</p> <p>Visuals, videos and podcasts are published on the ERC website, publications and on social media platforms; they are used during events and in newsletters, to illustrate and to broaden the reach of ERC messages.</p> <p>ERC website with link to social media platforms: <a href="https://erc.europa.eu/">https://erc.europa.eu/</a></p> <p>Personal data may be processed to:</p> <ul style="list-style-type: none"> <li>- ensure the preservation, distribution and communication to the public of current audio-visual production as well as images with an historical dimension (video, audio and photo) for the European Research Council.</li> <li>- ensure the copyright compliance;</li> <li>- respect legal obligations to the authors, contractors and third parties who may be appear on or transfer photos to the Agency.</li> </ul> <p>Audio-visual material consist of:</p> <ul style="list-style-type: none"> <li>- Photos, videos and podcast taken and recorded during ERC events;</li> <li>- Photos, videos and podcast taken and recorded by third parties, including Principal Investigators and beneficiaries funded by the ERC, who authorise the ERCEA to use them in the context of ERC's communication activities and release their copyrights. These materials typically feature ERC-funded researchers, their teams and their research.</li> <li>- Pictures and video material bought on a case-by-case basis from an external database to which the ERCEA subscribes.</li> </ul> <p>This purpose of the processing is in line with the Commission Decisions delegating powers to the ERCEA with a view to performance of tasks linked to the implementation of the specific programme (e.g. FP7, H2020, HE and any other similar programme) and with the ERC annual External Communication Strategy.</p>

8	<p><b>Description of the categories of data subjects</b></p>	<p><input checked="" type="checkbox"/> EA staff (Contractual and temporary staff in active position): photos of ERCEA staff present or speaking at events may be used for communication with their agreement).</p> <p><input type="checkbox"/> Visitors to the EA</p> <p><input checked="" type="checkbox"/> Contractors providing goods or services: including photographers, audio-visual producers or production partners, remunerated speakers and moderator at events.</p> <p><input type="checkbox"/> Applicants</p> <p><input type="checkbox"/> Relatives of the data subject</p> <p><input type="checkbox"/> Complainants, correspondents and enquirers</p> <p><input type="checkbox"/> Witnesses</p> <p><input checked="" type="checkbox"/> Beneficiaries: Photos or videos messages of principal investigators of ERC grants and their team members may be used in ERC communication channels.</p> <p><input type="checkbox"/> External experts</p> <p><input checked="" type="checkbox"/> Other, please specify: ERC Scientific Council members; holders of copyright and neighbouring rights to the audio-visual media (e.g. photographers, directors, painters, graphic designers, composers, music performers, actors); registered participants in ERC events and any identifiable natural person (including public figures) appearing in a photo, video, sound recording or any other audio-visual content, as far as practically feasible and necessary under the conditions of the recording.</p>
9	<p><b>Description of personal data categories</b></p> <p>Indicate <b>all</b> the categories of personal data processed and specify which personal data are being processed for each category (between brackets under/next to each category):</p>	<p><i>Categories of personal data:</i></p> <p><input type="checkbox"/> in the form of personal identification numbers</p> <p><input checked="" type="checkbox"/> <b>concerning the physical characteristics of persons as well as the image, voice or fingerprints:</b> Photos and footage reveals data subjects physical characteristics and voice.</p> <p><input checked="" type="checkbox"/> <b>concerning the data subject's private sphere:</b> Photos or footage sent by ERC-funded researchers or Scientific Council members may be taken in- and show their private environment.</p> <p><input type="checkbox"/> concerning pay, allowances and bank accounts</p> <p><input type="checkbox"/> concerning recruitment and contracts</p> <p><input checked="" type="checkbox"/> <b>concerning the data subject's family:</b> Photos and audio-visual material can address or show data subject family.</p> <p><input checked="" type="checkbox"/> <b>concerning the data subject's career:</b> Photos and audio-visual material can address or show Principal Investigators' and their team members' interests, career developments and achievements.</p>

concerning leave and absences

**concerning missions and journeys:** Photo and video footage taken at events show data subjects' participations.

concerning social security and pensions

concerning expenses and medical benefits

concerning telephone numbers and communications

**concerning names and addresses (including email addresses):** The name of the person appearing in the photo or video may be indicated in the file name or visible in the publication

Other :please specify :\_\_\_\_\_

*Categories of personal data processing likely to present specific risks:*

data relating to suspected offences, offences, criminal convictions or security measures

data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct)

*Categories of personal data whose processing is prohibited, with exceptions (art. 10 new Regulation):*

revealing racial or ethnic origin

revealing political opinions

revealing religious or philosophical beliefs

revealing trade-union membership

concerning health

genetic data, biometric data for the purpose of uniquely identifying a natural person

concerning sex life or sexual orientation

*Specify any additional data or explanatory information on the data being processed, if any:*

**Participants in ERC events** are informed in the invitation or when they register whether photos/videos will be taken during the event and, if so, how they will be used. Participants are asked for their consent and informed that a reserved area in the meeting room is available for delegates who do not want to be filmed or taken in photograph. In case of networking events, participants who do not want to be filmed or taken in photograph receive a lanyard of a different colour.

**Researchers funded by the ERC** are asked for their approval before their image, photo and videos are published.

10	<b>Retention time (time limit for keeping the personal data)</b>	<p>Photos and videos are archived after 10 years (they not available online any more) unless they have a historical relevance and are published for public information. Photos and videos embedded or published on ERC social media platforms stay online as deleting published content would go against transparency of ERC external communication.</p> <p>In case you intend to FURTHER process the personal data for a compatible purpose with the 'initial' one, please also indicate this retention period if different</p> <p>Is any further processing for archiving purposes in the public interest, historical, statistical or scientific purposes envisaged?  <input checked="" type="checkbox"/> yes <input type="checkbox"/> no</p> <p>If yes, indicate the further retention time:  Photos and audio-visual material of historical relevance may be kept indefinitely, as their destruction would be against the grounds for which they were taken and drafted.</p>
11	<b>Recipients of the data</b>	<p>Photos and audio-visual materials are stored in dedicated folders on the ERCEA network, to which access is restricted to staff members of the ERCEA Communications Unit.</p> <p>When video files exceed the size compatible with the ERCEA network, files are saved in external hard disks. Statements of release for photos and audio-visual material are saved in paper format in a dedicated folders accessible only to selected staff members of the communications unit and electronically on the ERCEA Network with the material concerned.</p> <p>Photos and audio-visual material may be sent to third parties, e.g. European Commission services, publishers, journalists, if data subjects have agreed via a statement of release or in writing for use on a particular occasion or for a specific article.</p>
12	<b>Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?</b>	<p>Photos and audio-visual material (videos, podcast) are embedded or uploaded on ERC's accounts on social media platforms including Flickr, Twitter, Facebook, LinkedIn, Youtube, Vimeo and Soundcloud, which may be hosted and accessed also from third countries.</p> <p>All these platforms have their own privacy and security policies. Data subjects are properly informed in order to be able to provide their consent to the publication.</p>
13	<b><u>General</u> description of the technical and organisational security measures</b>	<p>Access to audio-visual material stored on ERCEA Network is limited to selected staff members of the Agency (IT and Communication units) who are involved with the activity.</p> <p>Access to ERC's social media accounts is password protected. The password is available to selected staff of the Agency's communication unit. These platforms have their own privacy and security policies.</p> <p>The Agency also uses YourMailingListProvider (YMLP) to send our newsletter.</p>

14	<b>Information to data subjects/Data Protection Notice (DPN)</b>	Data subjects are informed via a data protection notice, which is specific for each communication activity. <ul style="list-style-type: none"><li>• <a href="#">Data Protection Notice</a> for photos and videos</li><li>• When relevant: Data Protection Notice of the event they attend.</li></ul>
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