



European Research Council  
Executive Agency

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ERCEA

## DATA PROTECTION NOTICE

### ERCEA Unit A2

#### News subscription and Contact Form

This notice concerns the processing operations called “News Subscription” and “Contact Us”. This processing requires the handling of personal data and is therefore subject to Regulation (EU) 2018/1725 (Data protection regulation)<sup>1</sup>.

#### 1. What personal information do we collect, from where and for what purpose?

##### 1.a) Personal data

In the box “News Updates” we collect the Email address;

In the “Contact Us” form we collect: salutation, first name, last name; email address, the subject of the message, the text of the message, the category selected, the email used for sending copy of the message. The webpage is visible in the dedicated section: <https://erc.europa.eu/content/send-us-message>

##### 1.b) Purposes of the processing

###### News Subscription

The ERCEA collects and stores the email address of the data subjects who voluntarily subscribed to the ERC News on the ERC website. The processing of the email address is necessary to send the requested Newsletter

The subscription is done by writing an email address in the form available in the web site.

The ERC subscription database is the basis for an e-service made available on the ERC website. The eservice is provided by external contractor Your Mailing List Provider (YMLP), a Belgian mailing list provider to which ERCEA subscribes. The subscribers' list

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<sup>1</sup> 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.

is used in the framework of communication activities of the ERCEA in order to inform journalists, stakeholders and, more generally, any person interested on the ERC's activities and achievements on ERC news.

### Contact Us

The contact forms in website are used to provide a channel for communicating with the agency, in particular for submitting the requests for access to documents, the request for information and for access to personal data. In the website, there is also the form to contact directly the ERCEA DPO.

The processing of data collected are necessary to answer the questions submitted by the data subjects.

While filling-in the contact form, the data subjects give consent to the processing of their personal data for one or more specific purposes when submitting their requests.

### Publication of News

In case of use of pictures or multimedia material published in the website, the data subjects are asked to provide their consent to the use of such material when submitting their material.

The ERCEA collects and stores the information provided by the data subjects who voluntarily contacted the ERC on the ERC website.

## **1.c) From where the data is collected**

The data are collected from the data subjects who provide their personal data by filling-in the relevant form available in the ERC web site.

## **2. Who has access to your information and to whom is it disclosed?**

### News Subscription

Web Team has access to the [erc-webmaster@ec.europa.eu](mailto:erc-webmaster@ec.europa.eu) functional mailbox and to the database of emails stored in Your Mailing List Provider.

Relevant ERC units have access to the functional mailboxes used for receiving email.

Access to the database of YMLP is limited to selected staff members of the Communications Unit ERCEA A2, the ERCEA LSA team, selected staff members of the website contractors and YMLP.

In addition, certain administrative details may be disclosed, in compliance with the relevant current legislation and established case law, and on a temporary basis to legislative or supervisory bodies of the ERCEA, as well as auditing bodies.

### Contact us

The ERCEA website send the information collected only to the mailbox designated by the data subject. The mailbox is identified by the selection of the category.

ERCEA staff has access to the mailboxes used for receiving and answering to the requests.

Relevant and limited staff from ERCEA units have access to the functional mailboxes selected as “category” in the web form. Access to the functional mailboxes is established on the basis of the need-to-know basis.

### **3. What are your rights?**

You have the right to access the personal data the ERCEA holds about you and to request to have them rectified where necessary. Where applicable, you have the right to request restriction or to object to processing, to request a copy or erasure of your personal data held by the data controller.

You have the possibility to unsubscribe from the ERC News through the link visible on every email received. You also have the possibility to write to [erc-webmaster@ec.europa.eu](mailto:erc-webmaster@ec.europa.eu) for being unsubscribed or modifying your subscription.

To exercise any of these rights, you should apply to the Head of Unit: A2 who is responsible for such processing (i.e. the Controller), by sending an e-mail specifying your request to the mailbox indicated in point 5.

As this processing of your personal data is based on your consent [point (d) of Article 5(1) or point (a) of Article 10(2)], please note that you can withdraw it at any time, and this will have effect from the moment of your retraction. The processing based on your consent before its withdrawal will remain lawful.

### **4. How long do we keep your data?**

News subscription

We keep the email address as long as the data subject does not unsubscribe.

Contact us

Messages and documents stored in mailboxes (both personal and functional ones) under the folders “Inbox”, “Sent Items”, “Deleted Items” and their subfolders, are subject to a 6-months retention policy as defined by the Secretariat General in the context of e-Domec (electronic archiving and document management in the European Commission). However, the user may decide to store important emails for longer periods by transferring them to sub-folders.

Messages and documents stored in public folders are subject to a 38-months retention policy.

### **5. Contact information**

If you would like to receive further information, you can contact the responsible person (the Data Controller), Head of Unit A2 via the mailbox: [erc-info@ec.europa.eu](mailto:erc-info@ec.europa.eu)

The ERCEA Data Protection Officer is at your disposal for any clarification you might need on your rights under Regulation (EU) 2018/1725 at the following e-mail address:

[ERC-DATA-PROTECTION@ec.europa.eu](mailto:ERC-DATA-PROTECTION@ec.europa.eu)

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor ([edps@edps.europa.eu](mailto:edps@edps.europa.eu)) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

## **6. Legal basis**

The legal basis applying to these processing operations are:

Article 5(1)(a)-(e) of the Data Protection Regulation giving the legal basis to this processing:

(a) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body,

(a2) including processing of personal data necessary for the management and functioning of the Union Institutions or bodies [Recital (22) of the new Regulation]

(b) processing is necessary for compliance with a legal obligation to which the controller is subject

(d) the data subject has given consent to the processing of his or her personal data for one or more specific purposes

### Relevant legal basis:

- ERC Rules for the submission of proposals and the related evaluation, selection and award procedures relevant to the Specific Programme of Horizon 2020 (Commission Decision C(2017)4750)
- the Commission Decision of 9 December 2010 amending Decision C(2007) 2286 on "the adoption of ERC Rules for the submission of proposals and the related evaluation, selection and award procedures for indirect actions under the Ideas Specific Programme of the Seventh Framework Programme (2007 to 2013)" (2010/767/EU);
- Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents;
- Article 38 of the Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012( 1)

- Council Decision of 3 December 2013 establishing the specific programme implementing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decisions 2006/971/EC, 2006/972/EC, 2006/973/EC, 2006/974/EC and 2006/975/EC (2013/743/EU)
- Commission Decision C(2013) 9428 final of 20.12.2013, whereby under Annex I, part B, points (a)14; (d) 5 and 6 various communication tasks (including the establishment of the strategy) are delegated to ERCEA
- The ERC website is one of the main communication tools of the ERC and part of the [annual ERC External Communication strategy](#)
- COMMISSION DECISION C(2014) 9437 of 12/12/2014 amending Decision C(2013)9428 on delegating powers to the European Research Council Executive Agency with a view to performance of tasks linked to the implementation of Union programmes in the field of frontier research comprising, in particular, implementation of appropriations entered in the general budget of the Union, in particular implementation of appropriations entered in the community budget: "within the guidelines set by the Commission, in particular in its work programmes, the agency shall be entrusted with the following tasks for the specific programme ideas: [...] (e): plan and implement information, communication and dissemination actions;"

In addition, the website contains information about the procurement procedure and the list of contractors is published once per year.