

General Data Protection Regulation Compliance

The AQUAEXCEL²⁰²⁰ project partners are subject to the EU General Data Protection Regulation (GDPR) which comes into force on 25th May 2018. Data that is collected and processed for the purposes of facilitating and administering Transnational Access (TNA) is therefore subject to GDPR.

Each organisation involved in the provision of TNA is responsible for their own use and management of data in relation to TNA projects at their infrastructure. Overall management of AQUAEXCEL²⁰²⁰ TNA is provided by the University of Stirling in the UK.

Personal Data

In order to properly manage the application, selection, monitoring and evaluation processes for AQUAEXCEL²⁰²⁰ Transnational Access Projects, it is necessary for some personal data to be requested and processed as set out below.

TNA Applicants and Collaborators

TNA applicants are required to submit personal data as part of the application process. Two main categories of personal data are requested. Category 1 data is data required for the purposes of identification of the applicant(s); communication with the applicant(s) and the reporting of funded projects to the European Commission. Category 1 data can be further sub-divided into categories 1a and 1b. This data is (for each applicant):

Category 1a

- Name
- Organisation affiliation
- Gender

Category 1b

- Nationality
- Year of birth
- Researcher category
- Highest degree held (Bachelors/Masters/Doctorate)
- E-mail address

Category 1a data is personal data that may be made publicly available for the purposes of reporting the project results, or as a result of a legitimate freedom of information request. Category 1b data will be treated as confidential (see below).

For applicants who are unsuccessful in applying for AQUAEXCEL²⁰²⁰ TNA, all personal data will be considered confidential and will not be used or passed to any other parties.

Category 2 personal data is additional CV information such as qualifications and career history. This is used for the purposes of evaluating the research proposals with respect to team experience, capacity

and support. Category 2 personal data is not passed on to the European Commission and is treated as confidential.

A third category of personal data is sensitive personal data which is specifically defined within the GDPR and includes ethnic, religious, political, sexual, health and some other data. No sensitive personal data is requested as part of the application process. Any sensitive data that is given e.g. within the applicant's CV will not be transferred into any other records or processed or used in any way.

Some personal data may also need to be provided by collaborators in the TNA project where they play a specific role in the same way as other applicants.

TNA Reviewers and Selection Panel Members

Personal data is also required from expert reviewers and Selection Panel members. For Category 1 information that may be shared with the European Commission this involves:

Category 1a

- Name
- Organisation affiliation (if any)
- Gender

Category 1b

- Nationality
- Areas of expertise
- E-mail address
- Telephone number

Category 1a data is considered non-confidential in case of freedom of information request or other reasonable requirement to make known the members of the review and selection panels. Category 1b data will be treated as confidential unless permission has been given for its release, or the information is required to meet legal or contractual obligations.

Category 2 personal data is also required from Expert Reviewers and Selection Panel Members in the form of a CV, which is treated as confidential and is only used to provide sufficient information to enable a selection decision and to subsequently help match reviewers with projects requiring review.

Non-Personal Data

Non-personal data provided at the application stage or generated during the processing and execution of a transnational access project will generally be regarded as confidential. Where required, such data may be shared with the EC. Data may also be aggregated and shared publicly. The use of project data is covered by other regulations and policies and it is recommended that each TNA project formalise a separate data management agreement.

Confidentiality, Data Use and Data Sharing

In order to process applications, it is necessary that all the data provided by the applicant is transferred between AQUAEXCEL²⁰²⁰ Partners (e.g. organisations and countries) and is also shared with Expert Reviewers, Members of the Selection Panel and any Experts employed by the European Commission to evaluate the project.

Confidential and personal data will only be shared with reviewers directly involved in the review process for each individual application, with access removed once the application process is complete.



Data provided for the purposes of applying for AQUAEXCEL²⁰²⁰ Transnational Access will only be used for this purpose and will not be passed on to third parties unless required for legal or other contractual purposes.

All partner organisations are signatures to an agreement that includes extensive expectations concerning maintenance of confidentiality and protection of privacy where appropriate. Individuals who are not employed by an AQUAEXCEL²⁰²⁰ Partner Organisation but who require access to confidential and personal data for the purposes of evaluating project applications are required to sign separate undertakings of confidentiality.

All expert reviews are anonymised for both the Selection Panel and the Applicants.

Data Security

All submitted data will be held on computer systems that meet local requirements for data security, which generally include password-controlled access and frequently data encryption. Personal and confidential data will not be transmitted directly by unencrypted e-mail. The AQUAEXCEL²⁰²⁰ application system is hosted at the University of South Bohemia, Czech Republic. Data is downloaded from there to a University of Stirling server and then individual applications and CVs etc. are shared with relevant reviewers and Selection Panel Members using the commercial cloud service "BOX". This company uses servers located in Europe for the purpose of GDPR compliance and all data is encrypted. Application data will also be securely archived by INRA Transfert, the overall AQUAEXCEL²⁰²⁰ Project Coordinator.

Data Access and Deletion

Under GDPR data subjects (i.e. named applicants or reviewers) may request a copy of any personal data held by the University of Stirling or any Partner Organisation and may object to its processing and under some circumstances request its deletion. Any such requests will be considered by the TNA manager and referred to the appropriate GDPR Data Protection Officer to assist with resolution. If the request is not dealt with to the satisfaction of the applicant, the case may be referred to the European Data Protection Supervisor (EDPS). In general, there will be no problem deleting data which is not contractually or legally required to be held, or correcting any errors.

Full deletion of personal data will be carried out once the information is no longer legally or contractually required to be held.

Consent

It is a requirement of GDPR that all data subjects (TNA applicants, collaborators, reviewers and Selection Panel Members) give explicit consent to the storage and processing of their personal data. A separate Data Processing Consent Form is therefore provided and this must be completed by each individual named on a TNA application and these should be attached the online TNA application together with CVs etc.

Further information

1. Information on GDPR and its implementation is available from many government and commercial sources such as <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>
2. All TNA projects will be subject to the Research Access and Research Data Management Policies of the host Infrastructure and as guided by the EU Charter for Access to Research Infrastructures (<https://ec.europa.eu/research/infrastructures/index.cfm?pg=access>)
3. Funding is subject to EC rules and regulations e.g. as set out in the Model Agreement - http://ec.europa.eu/research/participants/data/ref/h2020/grants_manual/amga/h2020-amga_en.pdf
4. Information on Intellectual Property Rights in the context of EU Horizon 2020 projects can be found at https://www.iprhelpdesk.eu/sites/default/files/documents/EU_IPR_IP-Guide.pdf

Further information: for any additional information or clarifications please contact John Bostock <j.c.bostock@stir.ac.uk>

Disclaimer: *This document has been compiled based on readily available information about GDPR. If applicants are concerned about the storage and use of their personal information by the AQUAEXCEL²⁰²⁰ project, they should seek qualified legal advice.*