



## RECORD OF PERSONAL DATA PROCESSING ACTIVITY

*Based on Article 31 of the Regulation (EU) 2018/1725<sup>1</sup> on the protection of natural persons with regards to the processing of personal data by the Union Institutions, bodies, offices and agencies and on the free movement of such data, each responsible EISMEA data controller has to maintain a record of the processing activities under his/her responsibility.*

**Record No: R-2019-25-2**

**Initial approval by Data Controller:** *see date of Ares stamp*

**Previous Notification** (if applicable): *n/a*

**Update (s)** (if applicable): **October 2023**

### NAME OF THE PROCESSING ACTIVITY

**Websites under EISMEA responsibility**

### IDENTIFICATION OF THE DATA CONTROLLER

**European Innovation Council and SMEs Executive Agency (EISMEA)**, Director (who delegates to the competent Heads of Unit/Heads of Department)

### GROUND FOR THIS RECORD (*select relevant ground*)

- Record of a new type of processing activity of personal data (before its implementation)
- Record of a processing activity of personal data that is already in place (ex-post)
- Change/Amendment/ Update of an already existing previous record (or previous notification to DPO)

### DESCRIPTION OF THE PROCESSING

The Agency provides and maintains several websites, webservices, collaborative platforms and social media accounts for various purposes targeting both the general public and specific audiences.

The purpose is to promote and support specific areas of the programmes the Agency is entrusted with on behalf of the European Commission, in particular the Horizon Europe Programme and the European Innovation Council, the Single Market Programme and the Interregional Innovation Investment Initiative.

The visitors of the websites can usually browse through the websites without providing any information about themselves, but in some cases, it is necessary to collect certain personal data to provide the services requested, in particular to registered users.

Accordingly, the Agency may use different first and third-party tools to collect and use those personal data, including of registered users to provide certain services like subscription to newsletters, events, trainings, to alert services, discussion forums, recording of on-line trainings or events...

<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 (OJ L 295/39 of 21.11.2018).

# 1. INFORMATION ON THE PROCESSING ACTIVITY

## on websites under EISMEA responsibility

This processing activity is performed in accordance with **Regulation (EU) No 2018/1725**<sup>2</sup> on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.

### 1.1. The Data Controller is:

European Innovation Council and SMEs Executive Agency (EISMEA), B-1049 Brussels, Belgium and can be contacted at the contact details of the authorizing officer responsible provided in the applicable data protection notice (or privacy statement) of the website under the responsibility of the Agency.

### 1.2. The following entity(ies) is/are acting as Processor(s):

are identified, if any, in the applicable data protection notice (or privacy statement) of the website/IT system.

### 1.3. The legal basis for the processing based on Article 5(1) of Regulation (EU) 2018/1725:

- (a) the 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 laid down in Union law;
- (a2) the processing is necessary for the **management and functioning** of the Union Institutions, bodies or agencies (Recital (22) of Regulation (EU) 2018/1725) laid down in Union law;
- (b) the processing is necessary for **compliance with a legal obligation** to which the controller is subject, which are laid down in Union law;
- (c) the processing is necessary for the **performance of a contract** to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- (d) the data subject has given **consent** to the processing of his or her personal data for one or more specific purposes;
- (e) the processing is necessary in order to protect the **vital interests** of the data subject or of another natural person.

More details are provided in the applicable data protection notice (or privacy statement) of the website under the responsibility of the Agency.

### 1.4. The purposes of this processing are to provide different types of services via websites, platforms of IT systems under the responsibility of the Agency as detailed in the applicable data protection notice (or privacy statement) of the website, which can include:

- e-services or e-resource to improve communication and interaction between users and the Agency/ European Commission services and their contractors and other stakeholders; this can include: information services providing easy and effective access to information; interactive communication services to facilitate consultations and feedback between users and the Agency/European Commission services and their contractors; event enrollment, and ordering services; discussion forum;
- measures of effectiveness, efficiency and statistics of the websites (via Europa Analytics, cookies or similar tools);
- connection between the user's device and the infrastructure maintained by the Agency or its contractor;
- subscription to Newsletters/ alert services.

More details are provided the applicable data protection notices (or privacy statements) of the respective website.

### 1.5. The categories of data subjects concerned by this processing are:

The public, visitors and registered/identified users of the websites under the responsibility of the Agency, including Agency/Commission staff, staff of contractors.

### 1.6. The personal data are collected as detailed in the applicable data protection notice (or privacy statement) of the relevant website and usually include: identification data, contact data, log-in, passwords, IP address and device ID to access the website, IT logs, cookies (first-party cookies set and controlled by the Agency/Commission, and cookies from third parties, e.g. social media).

The personal data are **mandatory** as outlined in the applicable data protection notice (or privacy statement) for the purpose(s) outline there.

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<sup>2</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 (OJ L 295/39 of 21.11.2018).

In addition, the Agency, including its contractors may collect other **non-mandatory** personal data, as outlined in the applicable data protection notices (or privacy statements), based on the explicit prior consent for the processing (e.g. in case of subscription to a newsletter: email addresses; images, recordings; identification of social media accounts, etc.) as outlined in the applicable data protection notice (or privacy statement).

In case the personal data is **not obtained directly** from the data subject, the source (e.g. from publicly available sources or databases of the European Commission) will be provided in the applicable data protection notice (or privacy statement).

**1.7. The recipients** to whom of the personal data will or might be disclosed are mentioned in the applicable data protection notice (or privacy statement) and usually include the competent Agency/European Commission staff, staff of their contractors, specific stakeholders and bodies in charge of monitoring or inspection tasks in application of Union or national law (e.g. internal audits, Court of Auditors, European Anti-fraud Office (OLAF), European Public Prosecutor's Office (EPPO), law enforcement bodies).

**1.8. Personal data will not be transferred to third countries or international organisations**, unless otherwise provided in the applicable data protection notice (or privacy statement) of the relevant website, platform or IT system, in particular if the data subject is established outside the EU/EEA, or for the use of certain third party tools.

**1.9. The processing of this personal data will not include** automated decision-making (such as profiling).

**1.10. The applicable technical and organisational security measures** are provided in the applicable data protection notice (or privacy statement) of the relevant website, platform or IT system.

The Agency is subject to the European Commission's security Decision [2017/46](#) of 10 January 2017. All personal data in electronic format (e-mails, documents, uploaded batches of data etc.) are stored on the servers of EISMEA, the European Commission or of its contractors located in the EU/EEA, unless provided otherwise in the applicable data protection notice (or privacy statement) of the relevant website. In addition, contractors are subject to specific contractual provisions on security and confidentiality.

**1.11. The personal data collected will be kept for the period** specified in the applicable data protection notice (or privacy statement) **usually 5 years** after the end of the underlying contract, project or EU programme to allow for reviews and checks if needed. The data will be deleted at the end of that period. The browser history information of visitors will normally be kept for a **period of 13 months** after the visit of the website. Under specific conditions, personal data may be deleted upon request of the data subject or data subject can delete certain personal data him/herself in his/her account.

**1.12. Data Subjects are informed** on the processing of their personal data via a **data protection notice on their rights**:

- to access their personal data held by a controller;
- to request their personal data held by a controller to be corrected;
- to obtain in some situations erasure of their personal data held by a controller, e.g. when data are held unlawfully (right to be forgotten);
- to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal;
- **of recourse** at any time to the **EISMEA Data Protection Officer** at [EISMEA-DPO@ec.europa.eu](mailto:EISMEA-DPO@ec.europa.eu) and to the **European Data Protection Supervisor** at <https://edps.europa.eu>.

**Request from a data subject to exercise a right** will be dealt within **one month**.

Your right to information, access, rectification, erasure, restriction or objection to processing, communication of a personal data breach or confidentiality of electronic communications may be restricted only under certain specific conditions as set out in the **applicable [Restriction Decision](#)** in accordance with Article 25 of Regulation (EU) 2018/1725.

Any queries concerning the processing of personal data, have to be addressed to the Data Controller indicated above in 1.1. at the contact details of the authorizing officer responsible provided in the applicable data protection notice.

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