



EUROPEAN COMMISSION

Executive Agency for Small and Medium-sized Enterprises (EASME)

RECORD OF PERSONAL DATA PROCESSING ACTIVITY

Based on Article 31 of the Regulation (EU) 2018/1725¹ 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 EASME data controller has to maintain a record of the processing activities under his/her responsibility.

Record No: R-2020-06

Initial approval by Data Controller: *see data of Ares signature*

Previous Notification: DPO-2017-04

Update (s) (if applicable): n/a

NAME OF THE PROCESSING

Proposal/Grant management outside the Funding and Tender portal (F&T portal) of the COSME programme

IDENTIFICATION OF THE DATA

Executive Agency for Small- and Medium-sized Enterprises (EASME), Head of Unit A.1 COSME.

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 of an already existing previous record (or previous notification to DPO)

DESCRIPTION OF THE PROCESSING

Personal data will be gathered by EASME throughout the project lifecycle outside the Funding & Tender portal (F&T portal) and specifically (a) in the framework of an invitation to submit proposals (or call for proposals) and (b) when preparing and managing grant agreements.

This processing activity applies to some COSME grants, which cannot be managed with the corporate IT tools, including grants to identified beneficiaries (ad-hoc grants)¹. The processing includes: applications for funding, subsequent evaluation of proposals, grant agreement preparation, grant management and the follow-up activities linked to the COSME programme, including payments and potential recoveries.

Throughout the project lifecycle, EASME only requests personal data that are necessary, e.g. for the evaluation of proposals, for the grant agreement preparation and for the full project/grant management cycle.

¹ [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

of grant management outside the F&T portal of the COSME programme

This processing activity is performed in accordance with **Regulation (EU) No 2018/1725²** 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:

Head of Unit A.1, COSME at the Executive Agency for Small and Medium-sized Enterprises (EASME), Place Charles Rogier 16, B-1049 Brussels and can be contacted at: EASME-COSME-DP@ec.europa.eu.

1.2. The following entity(ies) is/are acting as Processor(s): not applicable

1.3. The legal basis for the processing based on Article 5(1) of Regulation 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 body³;
- (a2) the processing is necessary for the **management and functioning** of the Union Institutions or bodies (Recital (22) of Regulation 2018/1725);
- (b) the processing is necessary for **compliance with a legal obligation** to which the controller is subject, in accordance with Articles 180 to 200 of the 2018 EU Financial Regulation⁴;
- (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 if they are not mandatory, 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.

1.4. The purposes of this processing are to:

(a) evaluate the submitted proposals for funding under the COSME programme and (b) prepare and manage the grants awarded throughout the project and the programme life cycle, in particular:

- Receipt, registration and acknowledging of receipt of grant proposals.
- Compliance checks against the admissibility, exclusion, eligibility and selection criteria.
- Proposal evaluation against award criteria and their ranking.
- Communication with the applicants and beneficiaries related to the proposals, grant or the programme.
- Award decision.
- Grant agreement preparation, generation, validation, execution, monitoring, including possible

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³ EASME Act of Establishment: Commission Implementing Decision C(2013/771/EU) of 17 December 2013 establishing the 'Executive Agency for Small and Medium-sized Enterprises' and repealing Decisions 2004/20/EC and 2007/372/EC and Regulation (EU) No 1287/2013 of 11 December establishing a Programme for the Competitiveness of Enterprises and small and medium-sized enterprises (COSME) (2014 - 2020) and repealing Decision No 1639/2006/EC.

⁴ Regulation (EU, Euratom) 2018/1046 on the financial rules applicable to the general budget of the Union, repealing Regulation (EU, Euratom) No 966/2012.

amendments, and grant management.

- Financial management including transactions to and from the Commission's accounting system for further validation and processing and payment.
- Publication of project summaries on the EASME/Commission website and in corporate project databases.
- Statistics, reporting and information relating to management, monitoring, policy feedback and mid-term and final assessment of programmes and initiatives (includes project information storage for statistics and auditing purposes), or EASME project mapping, EASME client's (beneficiaries/contractors) satisfaction surveys and similar.
- Promotion of the project, via classic and social media, including through newsletters and videos.

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

- 'Key personnel' of the project i.e. responsible project managers and other staff employed by the applicant and beneficiary;
- Legal representatives of applicant or beneficiaries or their contractors;
- Contact persons;
- Staff of (sub-)contractors to beneficiaries.

1.6. The following personal data are collected:

- Identification data: first name, last name, gender, date of birth, nationality, ID or passport number (if applicable);
- Contact details: phone, e-mail, fax, website, street address, post code, country, social media accounts (not mandatory);
- Curriculum vitae containing the relevant experience, previous employment, education, academic background, training, personal skills, competences, languages, technical skills, category of staff which may include hourly rate;
- Declaration on the honour that the person does not fall within exclusion criteria and extracts from judicial records, if requested;
- Bank account details of the beneficiary or applicant, VAT number (if applicable).

The above-mentioned personal data are **mandatory** for the purpose(s) outline above.

1.7. The recipients to whom the personal data will or might be disclosed are:

Authorised EASME and European Commission staff responsible for evaluating COSME proposals, the management or control of COSME projects, the monitoring COSME programme, legal advice, communication and reporting; authorised staff of EASME or Commission contractors; internal and external experts (e.g. evaluators or reviewers) and bodies charged with monitoring or inspection tasks in application of EU law (e.g. internal audits, Court of Auditors, European Anti-fraud Office – OLAF).

1.8. Personal data will not be transferred to third countries or international organisations.

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

1.10. The following technical and organisational security measures are in place to safeguard the processing of this personal data. Personal data is stored on password protected computers on files with restricted access and in locked cupboards. IT tools use EU login protection and access rights restrictions

apply. All servers used by the Agency/Commission abide to the European Commission's security Decision [2017/46](#) of 10 January 2017, replacing the former Commission decision ([C\(2006\)3602](#)) of 16 August 2006 on the security of information systems used by the European Commission. Members of the Committees sign a declaration of confidentiality and of absence of conflict of interests, including external expert evaluator and observers. Access to the Commission buildings is subject to security clearance.

1.11. The personal data concerned **will be kept in the service in charge of the procedure until it is finalised and in the archives for a maximum period** of 10 years following the signature of the grant agreements or decisions and of 5 years after the finalisation of the call for proposals for unsuccessful applications. Extract from judicial records if applicable are kept up to 2 years after the finalisation of the call for proposals. After the above retention periods, the files containing personal data are sampled to be sent to the historical archives of EASME and/or the European Commission for further conservation. The non-sampled files are deleted at the end of this period.

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 **EASME Data Protection Officer** at EASME-DPO@ec.europa.eu and to the **European Data Protection Supervisor** at <https://edps.europa.eu>.

Restrictions in particular for the right to information, access, modification or cancellation in accordance with Article 25 of Regulation (EU) No 2018/1725 will apply in case of pre/investigations for irregularities or anti-fraud in order not to jeopardize potential investigations.

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

Any queries concerning the processing of personal data, have to be addressed to the Data Controller indicated above in 1.1. at EASME-COSME-DP@ec.europa.eu.
