



Privacy statement on personal data processing by the European Institute of Innovation and Technology (EIT) for grant management with the Knowledge and Innovation Communities (KICs), including the use of eGrants

This privacy statement provides information on the processing of personal data carried out by the European Institute of Innovation and Technology in the area of grant management.

The processing of personal data follows the provisions of Regulation (EU) 2018/1725¹ 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 (hereinafter: “Regulation”).

1. What is personal data and what is a personal data processing operation?

Personal data shall mean any information relating to an identified or identifiable natural person (‘data subject’). An identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to his or her physical, physiological, mental, economic, cultural or social identity.

Personal data processing operations can be any operation or set of operations which is performed upon personal data, whether or not by automatic means, such as collection, recording, organisation, storage, adaptation or alteration, retrieval, consultations, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, blocking, erasure or destruction.

2. Who is the ‘data controller’?

- The data controller for **grant management** is the EIT Director.
- **eGrants**²: The EIT acts as a **joint controller** with the European Commission (Directorate-General for Research and Innovation) for the personal data processing operations carried out within the Single Electronic Data Interchange Area (SEDIA) Corporate Initiative, as covered by the Joint Controllorship Arrangement.³

3. What is the purpose of the processing?

The following purposes of data processing can be defined as:

- to award and manage (including monitoring and supervision and evaluation) the grants for the designated Knowledge and Innovation Communities (‘KICs’):
 - **start-up grants**,
 - **grants to the KICs under [Partnership Agreement \(PA\)](#)**, including the grants for the implementation of **Cross-KIC activities** and the **activities of the EIT Higher Education Initiative**

¹ OJ L 295, 21.11.2018, p. 39–98

² Privacy statement of the Funding and Tenders Portal is available here: https://ec.europa.eu/info/funding-tenders/opportunities/docs/2021-2027/common/ftp/privacy-statement_en.pdf

³ Ares(2024)3319347



- (EIT HEI),
- grants to the KICs under [Memorandum of Cooperation \(MoC\)](#),
 - grants under **Contribution Agreements**⁴ concluded between the EIT, on one side, and the European Commission Directorates-General, or Member States, or autonomous regions of Member States, on the other side
 - to award and manage (including monitoring and supervision and evaluation) the **grants for the National Contact Points (NCPs)**;
 - to manage all the grants in eGrants (or exceptionally on paper);
 - to inform relevant stakeholders about activities, updates, and outcomes related to grant management;
 - to handle complaints related to grant management.

With reference to Article 3(3) of the Regulation, the data processing operations include the collection, recording, organisation, storage, consultation, use, disclosure by transmission, erasure and destruction of personal data.

In particular, during the grant management processes personal data are received, they may be distributed to external experts and the EIT Governing Board, they are evaluated, stored, implemented, and eventually destroyed. The data provided by the beneficiaries, which may include personal data, are used for the preparation, conclusion and implementation of the resulting grant agreements.

Note: this privacy statement does not cover the personal data processing operations relating to the:

- calls for KICs (i.e. calls for proposals which result in the selection and designation of new KICs);
- selection and management of experts;
- ex-ante and ex-post controls and audits of grant beneficiaries and recipients of the EIT;
- use of EIT Portal;
- access to documents;
- handling of OLAF cases;
- EIT Awards;
- use of the Partner In and Out (PIO) tool for onboarding services.

These processing operations are subject to separate privacy statements⁵.

4. Who are the 'data subjects'?

Data subjects are natural persons whose personal data may be included in the applications, in the different agreements listed above and their respective amendments, and whose data are processed during or after the lifecycle of the grants.

Therefore, the data subjects are the:

- staff of the start-up grant beneficiaries and other participants (start-up coordinator, consortium members, affiliated entities, subcontractors): e.g. legal representatives, contact persons and other staff members;
- staff of the grant beneficiaries and other participants (KIC Legal Entity (LE), KIC partners,

⁴ Contribution Agreements are concluded between EIT on one side and the European Commission Directorates-General, or Member States, or autonomous regions of Member States, on the other side, that are personal data recipients (e.g. through reports) with aim to oversight the execution of the respective Agreements.

⁵ Available here: <https://eit.europa.eu/who-we-are/legal-framework/data-protection>

Privacy statements regarding the EIT portal and PIO tool are being adopted and will be published at the same link once available.



affiliated entities, as well as third parties like subcontractors, subgrantees etc.): e.g. legal representatives, contact persons and other staff members;

- the staff of subcontractors, or subcontractors who are natural persons;
- participants engaged in degree (students) and non-degree training programs, graduates.

5. Which 'categories of personal data' are processed?

[I] Identification data:

- first name, middle name, last name;
- gender;
- title;
- nationality;
- country of origin, country of residence (applicable for students engaged in degree and non-degree training programs);
- Participant Identification Code (PIC) (when the participant is a natural person);
- ID document number (passport/other);
- position/function, grade;
- signature.

[II] Contact data:

- EIT Extranet login credentials;
- e-mail;
- phone number.

[III] Data necessary for management of procedural/evaluation/performance related aspects:

- exclusion criteria related personal data (including declaration on honour and extracts from judicial records for natural persons);
- selection and award criteria (if applicable);
- performance related personal data linked to legal commitment with the EIT (such as quality of performance of participant (if a natural person) or participant's staff during the execution of relevant legal commitment with the EIT, information linked to participation to meetings);
- any other procedural (application, evaluation process related, project reporting and monitoring etc.) data that is of personal nature and linked to points listed above (including role in the project).

[IV] Other incidental and unsolicited data:

- third party personal data: the supporting documents submitted may contain personal data of third persons (such as other experts mentioned in proposals, board members etc.) not necessary for purposes of processing in grant management;
- (references to) personal data freely available on social networks and the Internet;
- special categories of personal data - data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health or sexual orientation may be received only in as much as this data appears spontaneously in the CV provided by the data subjects. This data is not processed during the management of the grant agreements, since it is not pertinent.

6. Who has access to the personal data of data subjects and to whom can they be disclosed?

EU institutions and bodies:

- Within the EIT:

- a. Within the responsible department/ unit, data is disclosed to the relevant staff members responsible for the operational tasks (e.g. Heads of Department, Heads of Unit, Heads of Section, Programme Officers, Monitoring and Evaluation Officers, Innovation Officers, Education Officers, Grant Assurance Officers, Programme/Project/Policy Support Officers, Assistants and Trainees).
- b. Outside the responsible departments/units, data may be disclosed to the relevant staff members of the Administration Unit (Heads of Sections, Finance Officer, IT Officer, Assistants), Directorate (Director, Heads of Section, Legal Officers, Internal Control Coordinator, Governance Officer, Project Support Officers, Assistants and Trainees), Communications and Engagement Unit (Head of Unit, Heads of Section, Communication Officers, Public Affairs Officers, Assistants and Trainees).
- c. Personal data may be disclosed to the members of the EIT Governing Board (EIT GB), if necessary for the decisions to be taken by the EIT GB.
- d. Access to the personal data may be given to the authorised staff of the European Union Agency for Fundamental Rights (FRA) staff, the Accounting Officer and the Deputy Accounting Officer.

- Within the European Commission and other EU institutions and bodies:

- a. Personal data is managed in the IT tools of the Commission, therefore the data are accessible by European Commission (DG RTD, DG BUDG, DG EMPL, DG GROW, DG INTPA, Commission Delegations, etc.).
- b. To the unit in European Commission Directorate-General Education and Culture of the Commission (DG EAC, partner DG of the EIT), responsible for the supervision of the EIT.
- c. For the purpose of safeguarding the financial interests of the European Union:
Data may be disclosed to the Internal Audit Services of the European Commission (IAS), the European Anti-Fraud Office (OLAF), the European Commission's Legal Service (SJ), the European Court of Auditors (ECA), the European Public Prosecutor's Office (EPPO), upon request and only if necessary in the context of official investigations, litigations, or for audit purposes.

The Commission's privacy statement for grant management is available at:
<https://ec.europa.eu/dpo-register/detail/DPR-EC-05067>

- d. For the purpose of handling complaints/court cases:
Data may be disclosed to the Evaluation Review Committee (with a representative of the Commission), the European Ombudsman, the European Data Protection Supervisor, the Legal Service of the Commission, Central Legal Support Service of DG RTD, the General Court, the



European Court of Justice upon request and only if necessary in the context of handling the complaint/court case.

- e. For the purpose of translation:
Data may be disclosed to the Translation Centre.

Data processors subject to the GDPR⁶ and data processors not subject to the GDPR:

- a. Proposals and the Interim and Final Grant Reporting documents and other documents related to grant management, monitoring and evaluation and review activities may be disclosed to *external experts* for evaluation tasks. External experts or external consulting entities that support EIT in such tasks are the designated data processors in the grant management conducted by the EIT.⁷
- b. Exceptionally and if necessary, information concerning the grant implementation may be transferred to *external lawyers (advocates), IT contractors* subject to the GDPR for specific and limited purposes only.
- c. The EIT **does not transfer any personal data to entities established in third countries**, not subject to GDPR. However, in exceptional cases:
 - During and after the grant management cycle documents are given to *external experts* for evaluation purposes and exceptionally some external experts may come from third countries.
 - if necessary, information concerning the grant agreement implementation may be transferred to *external lawyers (advocates), IT contractors* established in third countries not subject to GDPR, for specific and limited purposes only.

In all these cases a written contract (an expert contract or a service contract) is signed between the EIT and the external expert/external lawyers/IT contractor in order to ensure that Article 29 of the Regulation is respected by the data processor. These written contracts follow the model of the Commission and include a specific article on data protection.

7. What are the rights of the data subject?

In accordance with Articles 15, 17, 18, 19 of the Regulation, data subjects have the **right for information**, the **right of access**, the **right of rectification** in case their personal data is not complete or not accurate and the **right to erasure** (“right to be forgotten”).

The data subjects have the right to obtain the **erasure** of their personal data in accordance with Article 19 of the Regulation and in particular in the cases when the personal data are no longer necessary in relation to the purposes for which they were collected, if the data subject withdraws its consent, or in case of unlawful processing.

Data subjects have also the **right to restriction** of processing of personal data in accordance with Article 20 of the Regulation, and the **right to object** on grounds listed in Article 23 of the Regulation.

⁶ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation, OJ L 119, 4.5.2016, p. 1–88)

⁷ Privacy statement regarding the selection and management of experts is available here: <https://www.eit.europa.eu/about-us/legal-framework/data-protection>



Beneficiaries (KIC LEs, entities with roles of Co-location Centres and partners) and other third parties (e.g. affiliated entities, subcontractors and subgrantees) may, by written request, gain **access** to their personal data.

The **right of rectification** of data subjects is limited to objective factual data which is inaccurate or incomplete. The right of rectification may be exercised as long as it does not call into question the decision awarding the grant and result in unequal treatment. Any disagreement with the evaluation data relating to the assessment of the proposals submitted by the data subjects may be addressed by means of the available review procedures.

The data subjects have the **right of recourse** at any time to the Data Protection Officer of the EIT (EIT-DPO@eit.europa.eu) and to the European Data Protection Supervisor (EDPS@edps.europa.eu) for matters relating to the processing of their personal data.

The rights can only be exercised by sending a request in a written form to the following e-mails: EIT-KIC-Operations@eit.europa.eu or EIT-Director@eit.europa.eu. As a general rule, the requests for information, access, rectification, erasure or restriction are handled without undue delay and in any event within one month of receipt of the request; this period may be extended by further two months where necessary, taking into account the complexity and number of requests. In case the data subject contests the accuracy of the data, upon request, the data is restricted immediately for the period of verification of the accuracy of the data, not exceeding one month. They cannot result in unequal treatment of the data subjects and cannot be exercised in a way that is contrary or harmful to the aim of the evaluation or to its confidentiality.

Restrictions to the rights of data subjects may be applied by the EIT explained by this privacy statement, and in accordance with Article 25 of the Regulation, this privacy statement and the EIT internal rules on restrictions⁸.

The information above on the rights of data subjects is contained in the privacy statement in the area of grants available on the EIT website on the EIT Legal Framework page <https://eit.europa.eu/who-we-are/legal-framework/data-protection>

8. Legal basis for data processing operation

1) General legal basis:

- Regulation (EU) 2021/819 of the European Parliament and of the Council of 20 May 2021 on the European Institute of Innovation and Technology (recast)⁹
- Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union (recast)¹⁰(hereinafter – EU Financial Regulation), in particular Title VII thereof;

⁸ Decision 22/2023 of the Governing Board of the European Institute of Innovation and Technology (EIT) on internal rules concerning restrictions of certain rights of data subjects in relation to processing of personal data in the framework of the functioning of the EIT – Ares (2023)4368918

⁹ OJ L 189, 28.5.2021, p. 61–90

¹⁰ OJ L, 2024/2509



- Commission Delegated Regulation (EU) 2019/715 of 18 December 2018 on the framework financial regulation for the bodies set up under the TFEU and Euratom Treaty and referred to in Article 70 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council (hereinafter – Framework Financial Regulation)¹¹

2) Specific EIT legal basis

- Decision of the Governing Board of the European Institute of Innovation and Technology of 25 September 2019 on the financial regulation of the EIT¹²;
- EIT Annual work programmes included in the Single Programming Decisions (financing decisions), as adopted by the EIT Governing Board;
- Joint Controllershship Agreement regarding the personal data processing operations within the Single Electronic Data Interchange Area (SEDIA) Corporate Initiative¹³;
- Service Level Agreement between the European Union Agency for Fundamental Rights and the European Institute of Innovation and Technology (Appendix 3 Specific/detailed data protection clauses), signed on 18 July 2023¹⁴;
- Contribution Agreements within the meaning of Article 7 of the Framework Financial Regulation, concluded between the EIT, on one side, and the European Commission Directorates-General, or Member States, or autonomous regions of Member States, on the other side.

9. Grounds for lawfulness

In line with Article 5(1)(a) of the Regulation, 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 EIT.

In line with Article 5(1)(d), all applicants and beneficiaries, submitting a proposal and providing information including personal data to the EIT by any means (in particular by paper or electronic form) are deemed to have unambiguously given their consent for the subsequent processing operations in application of the Data Protection Regulation.

10. How long do we keep your data?

- Core documents regarding the award of grants and implementation of grant agreements, and documents regarding the relations with KICs are stored for **15 years** and shall be then transferred to the Historical Archive of the European Union.¹⁵
- Supporting documents regarding the award of grants and implementation of grant agreements are stored for **7 years** and shall be then eliminated.
- Criminal/ judicial records are kept for maximum **2 years** after the end of the proceedings and then shall be eliminated.

¹¹ OJ L 122, 10.5.2019, pp. 1–38

¹² Ares(2019)6810859

¹³ Ares(2024)3319347

¹⁴ Ares(2023)5068072

¹⁵ For KICs under MoC, the retention period for personal data may be extended until the end of the MoC.