

PROTECTION OF YOUR PERSONAL DATA

This privacy statement provides information about the processing and the protection of your personal data.

Processing operation: Processing of personal data within the framework of the management of procurement procedures and grant applications

Record reference: DPO-02-01-a) and DPO-02-01-b)

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1. Introduction

The protection of your privacy is of high importance to Global Health EDCTP3 Joint Undertaking (hereinafter referred to as Global Health EDCTP3 JU). Global Health EDCTP3 JU is committed to respecting and protecting your personal data and ensuring your privacy rights.

All data of a personal nature processed within the framework of the management of procurement procedures and grant applications, namely data that can identify you directly or indirectly, will be handled fairly, lawfully and with due care.

This processing operation is subject to Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of individuals regarding the processing of personal data by the Union institutions, bodies, offices, and agencies and on the free movement of such data. The information in this communication is given pursuant to Articles 15 and 16 of Regulation (EU) 2018/1725.

This Privacy statement provides detailed information on all types of data that can be processed in the context of grant applications and tenders' procedures as well as grant agreements and procurement contracts managed by the Global Health EDCTP3 JU.

2. Controller/ Joint controllers/Processors

The relevant processing operation is under the responsibility of the Executive Director of the Global Health EDCTP3 JU, acting as the Data Controller. Your personal data are processed based on applicable data protection legislation by Global Health EDCTP3 JU, Avenue de la Toison d'Or 56-60, 1060 Brussels, Belgium. The Global Health EDCTP3 JU can be contacted by post at following address TO 56, 1049 Brussels, Belgium or by email at procurement@global-health-edctp3.europa.eu (for procurement procedures) and applicants@global-health-edctp3.europa.eu (for grant procedures).

Global Health EDCTP3 JU has appointed a Data Protection Officer (DPO). The task of the DPO is to ensure, in an independent manner, that Global Health EDCTP3 JU complies with the data protection law and protects individuals' rights and freedoms by effectively protecting their personal data. The DPO of Global Health EDCTP3 JU can be contacted by post at following address TO 56, 1049 Brussels, Belgium or by email at data-protection@global-health-edctp3.europa.eu.

For grant management, Global Health EDCTP3 JU uses the IT Tools (SEDIA) of the European Commission, therefore the European Commission, the Research Executive Agency and the Global Health EDCTP3 JU are joint controllers.

For procurement procedures, Global Health EDCTP3 JU may use the IT tools of the European Commission (eTendering) and in that case the European Commission and Global Health EDCTP3 JU are joint controllers.

Please find here the relevant data protection notices of the European Commission:

- Grant management and registration/validation of participants, published in the EC online public Register of the Data Protection Officer (DPO) under reference number [DPR-EC-01024](#);
- Managing award procedure for procurement, grants and the selection of experts, and managing the execution of (procurement and experts) contracts and implementation of grant agreements, published in the EC online Register of the Data Protection Officer (DPO) under reference number [DPR-EC-05067](#).

In case the Global Health does not use the IT tool for the procurement procedure, the JU remains sole controller.

Regarding processors, your personal data may be processed by external experts, such as contractors, *intra* and *extra muros* of Global Health EDCTP3 JU and of the EC services.

3. Why and how do we process your personal data?

Your data is collected and processed within the framework of grant applications and tender procedures, as well as the management of grant agreements and procurement contracts overseen by Global Health EDCTP3 JU. This involves handling your information meticulously throughout the entire lifecycle of these processes, from the initial application or tender submission to the finalization of agreements and contracts. Our approach ensures that your data is managed in compliance with relevant legal and regulatory requirements, safeguarding its confidentiality and integrity while facilitating efficient and transparent operations within our organisation.

The data is directly provided by applicants, tenderers, contractors, and beneficiaries during the processes of grant applications, tender procedures, as well as the management of grant agreements and procurement contracts.

By managing these data carefully, the process ensures compliance with relevant regulations and standards, while striving to maintain transparency, efficiency, and impartiality in selecting qualified individuals for these roles.

Your personal data will not be used for automated decision-making, including profiling.

4. Categories of data subjects

The data subjects involved in this processing include both the tenderers and applicants who participate in the tender and grant application procedures. In instances where these parties are legal entities, the data pertains specifically to their designated representatives. This encompasses all individuals whose personal information is necessary for submitting tenders or grant applications, and for whom the data is essential for the evaluation, management, and follow-up processes.

5. Which personal data do we collect and further process and on which legal grounds?

The personal data collected in our processes falls into several key categories, including:

- Educational information.
- Financial data, such as income and banking details.
- Personal identifiers, including names, contact information, and demographic characteristics.
- Professional information, such as job titles and employment history, used to assess applicants and tenderers in compliance with regulatory obligations. This data is processed in accordance with the legal obligation, as provided by Article 5(1)(b) of Regulation (EU) 2018/1725.

In particular, the specific legal basis for processing the above data can be found in the following articles:

1) Council Regulation (EU) 2021/2085 establishing the Global Health EDCTP3 JU, in particular Articles 5(2)(a) and 24(1);

2) Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe, in particular Article 29;

- 3) Articles 43 and 45 of the Global Health EDCTP3 JU Financial Rules;
- 4) Title VII of the EU Financial Regulation and Annex I to this Regulation (procurement);
- 5) Title VIII of the EU Financial Regulation (grants).

Furthermore, special categories of data, specifically juridical data, are processed under the authority of Regulation (EU) 2018/1725. This may include information such as criminal records, sworn or solemn statements made by the interested party before a judicial or administrative authority, a notary or a qualified professional body who replaced the criminal records if only the document contains sensitive data. The processing of such data is carried out under the authority of Article 11 of the Regulation (processing under control of official authority or when the processing is authorised by Union law).

By adhering to these frameworks, we ensure that all personal data is processed lawfully, transparently, and with respect to the rights and privacy of the individuals involved.

6. Who has access to your personal data and to whom is it disclosed?

The accessibility of personal data is strictly controlled based on the type of data and the purpose for which it is processed. Access to this data is granted solely on a need-to-know basis, ensuring that only authorized personnel within Global Health EDCTP3 JU staff members have the ability to view or handle the information. This policy helps to protect the confidentiality and integrity of your data, minimizing the risk of unauthorized access.

The following have access to your data: External evaluators or experts assisting the Global Health EDCTP3 JU; *Intra* and *extra-muros* external service providers (Global Health EDCTP3 JU); Global Health EDCTP3 JU Executive Director; Global Health EDCTP3 JU staff members: grant proposal evaluation panels, tender evaluation committees, staff participating in the selection of external experts; European Commission and its services, ECA.

7. How long do we retain your personal data?

In the procurement award process, personal data are retained for 10 years after the final payment under the contract. This period ensures comprehensive documentation of the contract's lifecycle, supporting transparency, accountability, and compliance. Similarly, data collected during the grant award procedure are kept for 10 years, covering the entire grant lifecycle from assessment to post-award activities.

For grant management, data related to the implementation are also retained for 10 years following the last payment. These retention practices enable thorough documentation and compliance, supporting audit requirements and ensuring the integrity and proper administration of procurement and grant activities.

For unsuccessful tenderers, the data specific to their submission is retained for 5 years following the procurement procedure's closure. This retention period ensures that comprehensive records are available to address subsequent inquiries or disputes and to comply with auditing and regulatory requirements. Similarly, for unsuccessful candidates who responded to an invitation to participate, their data are also retained for 5 years after the procedure concludes. This practice supports transparency and accountability, allowing the organisation to maintain a complete record of all applications and decisions made during the process.

In grant awards, data collected from unsuccessful applicants are similarly retained for 5 years after the procedure. Retaining these records is crucial for evaluating the procedures and decisions, and for facilitating any necessary audits or compliance checks.

8. How do we protect and safeguard your personal data?

The Global Health EDCTP3 JU implements the following technical and organisational measures to safeguard your personal data: Staff dealing with this processing operation is designated on a need-to-know basis; Data kept according to the security measures adopted by the JU; Access control and technical measures such as physical locks and/or secure connections and firewalls; Obligation of confidentiality of the staff; Automated system (Grants management); Appropriate technical and organisational security measures, giving due regard to the risks inherent in the processing and to the nature of the personal data concerned; Secure transfer of data; Signature of absence of conflict of interest.

9. Transfer to a third country or international organisation

The Global Health EDCTP3 JU processes your personal data within the European Economic Area (EEA) and does not transfer it to a third country or international organisation.

10. What are your rights and how to exercise them?

As 'data subject' you have, under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, specific rights. In particular:

- You have the right to request access to all personal data processed by us pertaining to you.
- You have the right to rectification, i.e., to ask that any personal data pertaining to you that are inaccurate, be corrected.
- You have the right to withdraw your consent for processing of your personal data.
- You have the right to erasure, i.e., to request that personal data pertaining to you be deleted if these data are no longer required in the light of the purposes outlined above in Heading 3.
- You have the right to restriction instead of deletion, i.e., to request that we limit the processing of your personal data.
- you have the right not to be subject to a decision based solely on automated processing of data, including profiling, if such decision has legal effect on him or her, except for certain situations, such as entering a contract (as required by articles 14-16 & 24 of EUDPR).
- You have the right to data portability, i.e., to receive from us in a structured, commonly used, and machine-readable format all personal data you have provided to us if the processing is based on your consent or a contract with you and the processing is carried out by automated means.

Possible restrictions as laid down in Article 25 of the Regulation (EU) 2018/1725 can apply based on [Global Health EDCTP3 JU Governing Board decision n°18/2023](#) laying down 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 Global Health EDCTP3 JU, in particular Articles 3(1)(k), (h), (g) and (j). Moreover, restriction already foreseen in the EU Financial Regulation, in particular Article 142.

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Global Health EDCTP3 JU's Data Protection Officer by post

at the following address TO 56, 1049 Brussels or by email at data-protection@global-health-edctp3.europa.eu.

The European Data Protection Supervisor (EDPS)

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 Global Health EDCTP3 JU, as a data subject, you have a right to recourse to the European Data Protection Supervisor (EDPS) at any time by e-mail to edps@edps.europa.eu or a letter to the EDPS postal address marked for the attention of the EDPS DPO:

European Data Protection Supervisor
Rue Wiertz 60
B-1047 Brussels
BELGIUM

For more information on the EDPS, please consult their website: <https://www.edps.europa.eu>.

11. Where to find more detailed information?

The Global Health EDCTP3 JU's Data Protection Officer (DPO) publishes the Register of all processing operations on personal data by the Global Health EDCTP3 JU on the website. The Register can be found [here](#).

This specific processing operation has been included in the Global Health EDCTP3 JU Public Register with the following Record reference: DPO-02-01-a) and DPO-02-01-b).