

Privacy statement regarding the EIT Label management

The personal data provided with the EIT in the applications for the three types of EIT Label¹, awarding, monitoring of performance reports and the personal data of the expert panel members are processed in line with 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 Union institutions, bodies, offices, and agencies and on the free movement of such data² (“Data Protection Regulation of the European institutions”).

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

Personal data means 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 identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person.

Processing means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automatic means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Who is the controller of the data collection?

The data controller responsible for the personal data processing operation relating to the EIT Label is the Head of the Innovation Ecosystem Unit.

Who are the data subjects?

All the persons (professors, coordinators, learners, or others) involved in the programmes and education schemes which have submitted a new application to be awarded the EIT Label for Degree Programmes (at Master’s and Doctoral levels), Fellowship Schemes, Non-Degree Education and EIT

¹ EIT Label for Degree Programmes (Master’s and Doctoral programmes), EIT Label for the Fellowship Schemes, EIT Label for Non-Degree Education and trainings

² 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 (OJ L 295, 21.11.2018, p. 39)

Competence Certification Model; or a performance report and any supporting evidence related to these Programmes; and members of the expert panel(s).

What is the purpose of the personal data processing?

The purpose of the processing is the following:

- assessment of the KICs' and their partners' programmes and education schemes that applied to receive the EIT Label, and
- monitoring of the progress in implementation of the EIT Label programmes and education schemes

in line with the process and indicators specified in the relevant EIT Label Handbooks.

What types of personal data are processed?

Within the context of the EIT Label assessment (applications, evaluation and monitoring), the following types of personal data are processed:

- **In relation to the programme and education schemes applications:**
By EIT: names, contact details, functions, nationality.
Regarding the learners: name with narrative feedback, data related to education results, skills competences, innovations and achievements may be processed.
By Creative Force: name, contact details, online identifier. As the procedures are managed in the Awards Force tool, the uploaded documents may include further types of personal data.
- **In relation to expert panel(s):**
By EIT: name, photo, and short bio, contact details, CVs.
By Creative Force: name, contact details, online identifier.

Voluntarily, data subjects may disclose more types of personal data directly linked with the EIT Label assessment and monitoring processes.

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

Within the EIT:

The personal data of the data subjects are processed by the EIT staff responsible for the EIT Label assessment (Administrators, Assistants, Head of Unit Innovation Ecosystem, EIT Director).

Within the Commission and other EU institutions/agencies/bodies:

If requested exceptionally, personal data can be disclosed to the responsible unit in Directorate-General Education and Culture (DG EAC) of the European Commission, the partner DG of the EIT.

Additionally, data may be disclosed to the European Anti-Fraud Office (OLAF) for investigation purposes.

In case of an audit or complaint/appeal, the personal data can be disclosed to the auditors in the Commission, and to other EU institutions such as the European Court of Auditors, the European Ombudsman, the European Data Protection Supervisor, the General Court of the European Union, and the European Court of Justice.

Third parties subject to the GDPR³ and third parties not subject to the GDPR:

Personal data are accessed by the external expert panel(s) who assess quality indicators defined by the EIT Label Framework. The external experts are bound by the data protection and confidentiality rules via their contracts signed with the EIT.

The personal data of data subjects will be processed, in connection with the submission of the online applications by the external contractor of the EIT. Creative Force Ltd., established in Malta, is an external service provider (i.e., processor). Their product, Award Force, is used for the submission of applications and for the evaluation by the external experts appointed and contracted by the EIT. Therefore, Creative Force processes personal data related to the applications and to the external experts. Their privacy statement and their cookie policy are available at: <https://www.creativeforce.team/privacy-policy/>. Personal data are stored in the EU.

The limited number of personal data may also be processed, in connection with the promotion of the EIT label programmes and schemes and models, in line with EU and national legislation and their relevant contractual requirements.

How long do we keep your data?

Personal data of data subjects involved in the applications, in the performance reports and related supporting evidence submitted by the KICs and programme coordinators is retained for a period of **ten years** from the date of the submission of the files to the EIT.

Any further data required for statistical purposes should be kept in an anonymous form.

What are your rights as being a data subject?

Data subjects have the **right for information** and the **right to access** their personal data, as ensured by Article 15 and 17 of the Data Protection Regulation of the European institutions. In addition, the data subjects have the **right to rectification** of inaccurate personal data concerning them without undue

³ 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)

delay; and the right to have incomplete personal data completed, in accordance with Article 18 of the Regulation. The exercise of such rights may not result in unequal treatment of the nominees and may not be contrary or harmful to the aim of the prize contest or to its confidentiality.

Data subjects may, on written request, gain access to their personal data and request the rectification of any personal data that is inaccurate or incomplete, as long as it does not call into question awarding the Label to the related education activity and result in unequal treatment.

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 the **right to restriction** of processing of personal data in accordance with Article 20 of the Regulation, and the **right to object** on grounds relating to their particular situation in accordance with Article 23 of the Regulation.

After the deadline for submitting the applications, personal data cannot be rectified or erased with the exception of obvious clerical errors.

Any issues with regard to the assessment procedure may be addressed by means of the available review procedures.

The rights of data subjects can be exercised only based on a written request. In case of any queries concerning the processing of personal data, data subjects may send their written requests to eit-label@eit.europa.eu. As a general rule, the requests for information, access, rectification, erasure 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.

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.

Restrictions to the rights of data subjects may be applied by the EIT, in accordance with Article 25 of the Data Protection Regulation of the European institutions and the EIT internal rules on restrictions⁴.

⁴ Currently under adoption. The final version will be published at the following link: <https://eit.europa.eu/who-we-are/legal-framework/data-protection>

Legal basis of the processing operation

General legal basis

- Regulation (EU) 2021/819⁵ of the European Parliament and of the Council of 20 May 2021 on the European Institute of Innovation and Technology (“EIT Regulation”);
- Decision (EU) 2021/820⁶ of the European Parliament and of the Council of 20 May 2021 on the Strategic Innovation Agenda of the European Institute of Innovation and Technology (EIT) 2021-2027: Boosting the Innovation Talent and Capacity of Europe and repealing Decision No 1312/2013/EU (“Strategic Innovation Agenda 2021-2027”);
- Regulation (EU) 2021/695⁷ of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013);
- Regulation (EU, Euratom) No 2018/1046⁸ of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union and amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014 and repealing Regulation (EU, Euratom) No 966/2012 (“EU Financial Regulation”).

Specific EIT legal basis:

- Decision 11/2021⁹ of the Governing Board of the European Institute of Innovation and Technology (EIT) on the adoption of the new EIT Label Framework;
- Decision 26/2021¹⁰ of the Director of the European Institute of Innovation and Technology (EIT) on the adoption of the new EIT Label Handbook for degree programmes;
- Decision 62/2022¹¹ on the adoption of the EIT Label Handbook for EIT fellowships and the EIT Label Handbook for non-degree education and EIT competence certification model;

⁵ OJ L 189, 28.5.2021, p. 61

⁶ OJ L 189, 28.5.2021, p. 91–118

⁷ OJ L 170, 12.5.2021, p. 1–68

⁸ OJ L 193, 30.7.2018, p. 1–222

⁹ [Ares\(2021\)1930763](#)

¹⁰ [Ares\(2021\)4092457](#)

¹¹ [Ares\(2022\)5626894](#)

- Decision 21/2019¹² of the Governing Board of the European Institute of Innovation and Technology on the financial regulation of the European Institute of Innovation and Technology;
- Account transfer agreement concluded by and between the EIT and Creative Force Ltd.

Lawfulness of the processing operation

In line with Article 5(1)(a) of Regulation 2018/1725, 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 particular, the provision of the EIT Label assessment contribute to the attainment of the objectives of the EIT as laid down in the EIT Regulation and the Strategic Innovation Agenda 2021-2027 of the EIT.

Furthermore, the processing is also lawful based on Article 5(d) of Data Protection Regulation of the European institutions: the data subjects are free to give their data on a voluntary basis and can withdraw their consent any time.

¹² [Ares\(2019\)6810859](#)