

**Record of personal data processing operations regarding
ex ante and ex post controls and audits of grant beneficiaries and recipients
of the European Institute of Innovation and Technology**

Nr	Item	Description
1	Reference number	DPO-28
2	Name of the data controller, the data protection officer and processor, if applicable and contact details	<p>The data controller is the Head of the Innovation Communities Unit.</p> <p>Contact e-mail: EIT-ALI@eit.europa.eu</p> <p>The Data Protection Officer of the EIT is Nora TOSICS.</p> <p>Contact e-mail: EIT-DPO@eit.europa.eu</p>
3	Purposes of the processing	<p>The purpose of processing personal data is to verify compliance of the EIT grant beneficiaries and recipients with the provision of the respective Grant Agreements and other legislation applicable to them, to establish eligible expenditure when calculating the final grant amount and recovering any ineligible expenditures after the final payment.</p> <p>The data processing operations include the collection, recording, organisation, storage, consultation, use, disclosure by transmission, erasure and destruction of personal data.</p>
4	Categories of data subjects	Data subjects include any individual or group of people whose data is processed by the EIT and the auditors contracted by the EIT in the context of ex ante checks and ex post audits, including for instance employees of beneficiaries, employees of subcontractors, external experts, etc.

5	Categories of the personal data processed	<p>The following types of personal data are processed for the above mentioned purposes in accordance with the Data Protection Regulation of the European institutions (hereafter referred to as the “Regulation”)¹ in the audit reports, audit clarifications and supporting documents (such as employment contracts, salary slips, time records, contracts with subcontractors and subgrantees, documentation confirming value-for-money analysis for procurement procedures, confirmation of payments):</p> <ul style="list-style-type: none"> • Names, functions, contact details, • Salary or remuneration of the concerned data subject, • Bank account details. <p>Normally a single document does not contain the entire range of personal information.</p>
6	Categories of data recipients	<p>Within the EIT:</p> <p>The personal data is processed by the EIT authorised staff: by the members of the Grant Assurance Section and of the KIC Audit, Legal and IT Section of the Innovation Communities Unit. Where performance analysis needs to be carried out, the data may be shared with the respective Programme Officer in the same Unit. The data can also be shared with the EIT Directorate if needed for specific cases. Access may be given to the Internal Audit Capability of the EIT by request and if necessary for the performance of his duties.</p> <p>Within the Commission and other EU institutions/agencies/institutions:</p> <p>Authorised staff of the following EU institutions may have access to relevant personal data for audit control or investigation purposes: Court of Auditors, Internal Audit Service of the European Commission, European Anti-Fraud Office (OLAF).</p> <p>Access to personal data may also be granted to the European Ombudsman and the European Data Protection Supervisor upon request, the General Court and the European Court of Justice to</p>

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

		<p>the extent necessary for handling the review procedure and litigation.</p> <p>Third parties subject to the GDPR² and third parties not subject to the GDPR:</p> <p>Personal data is collected by the ex ante and ex post auditors who are data processors under the data protection rules. The service contracts with audit firms follow the model of the European Commission and include standard provisions on data protection (Article I.9 and II.9) which lay down the obligations of the audit firms with respect to data protection in order to respect Article 29 of the Regulation. In addition, the audit firms contracted by the EIT must have their own privacy statements and are subject to the GDPR. The auditors share the audit reports and working papers containing personal data with the Grant Assurance Section and the KIC Audit, Legal and IT Section of the EIT. There is also a limited amount of documentation shared by the EIT and auditors when supporting documentation is directly submitted by the beneficiary to the EIT and is relevant to the audit performed by the audit firms.</p> <p>Exceptionally and if necessary, information concerning ex ante and ex post checks and audits may be disclosed to external lawyers (advocates) subject to the GDPR, for specific and limited purposes only. In this case a written contract (service contract) is signed between the EIT and the external lawyer in order to ensure that 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.</p> <p>The information is not shared with EIT external IT contractors per se, but because these entities have access to EIT internal IT systems the data protection clauses are included in the respective framework contracts.</p>
7	Time limit for storage (retention period)	<p>The EIT keeps the data in relation to ex ante and ex post controls and audits (including the documents containing personal data) for the time necessary to fulfil the purpose of collection or further processing, namely for <i>7 years</i> following the end of the year within which the audit was</p>

² 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)

		performed.
8	If applicable, transfers of personal data to a third country or to international organisation (if yes, the identification of that third country or international organisation and the documentation of suitable safeguards)	No.
9	General description of the technical and organisational security measures	<p>Organisational measures: access to personal data regarding ex ante and ex post controls and audits of grant recipients is restricted to the responsible EIT staff indicated above.</p> <p>Technical measures: hardcopy files are kept in the locked cupboards. Electronic data is stored on EIT network drive and is only accessible to the staff mentioned in the previous paragraph.</p>
10	For more information, including how to exercise rights to access, rectification, object and data portability (where applicable), see the privacy statement:	<p>Please see the privacy statement enclosed to the record as Annex.</p> <p>Please consult the Data Protection page on the EIT's website: https://eit.europa.eu/who-we-are/legal-framework/data-protection</p>

Signature of the data controller

(Approval is given via a workflow in ARES in place of a handwritten signature)

Annex: Privacy statement