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How to write a Policy Privacy in a Research Project

Guidelines and Attachments

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Introduction and list of attachments

This document is intended to be a collection of useful materials for the drafting of a privacy policy in research projects. Based on the experience gained in coordinating and participating in national and international projects, it was possible to identify the most problematic issues in the management and processing of personal data and, therefore, to write down forms that serve as models/templates to be used in concrete and realistic situations. The attachments in the following sections include the necessary and general requirements prescribed by current legislation and have been drafted to be adapted, once completed, to the specificities of the projects.

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Notice

How to read and complete:

*[name of the project]: the instruction in the branches asks for filling the gaps with the name of the targeted project.

**[to be completed]: the instruction in the branches asks for filling the gaps with the data and information referred to the subjects involved in targeted actions, activities, etc.

*** The templates in the attachments respect and use a gender-neutral language and/or gender-inclusive language to formulate terms and roles as well as provide information in a coequal manner.

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Other relevant sources

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) (Text with EEA relevance). OJ L 119, 4.5.2016, p. 1–88: https://eur-lex.europa.eu/eli/reg/2016/679/oj

European Commission, Decision of 28 June 2021 pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council on the adequate protection of personal data by the United Kingdom, Brussels, 28.6.2021 C(2021) 4800final. OJ L 360, 11.10.2021, p.1–68: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32021D1772

Commission Decision 5 February 2010 on standard contractual clauses for the transfer of personal data to processors established in third countries under directive 95/46/EC of the European Parliament and of the Council, OJ L 39, 12.2.2010, p. 5–18: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32010D0087

Commission Decision 4 June 2021 on standard contractual clauses for the transfer of personal data to third countries pursuant to regulation (EU) 2016/679 of the European Parliament and of the council, OJ L 199, 7.6.2021, p. 31–61: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32021D0914

Guidelines in Transparency under Regulation 2016/679: https://ec.europa.eu/newsroom/article29/items/622227.

Data Protection in the EU: https://commission.europa.eu/law/law-topic/data-protection/data-protection-eu_en

European Data Protection Board: https://www.edpb.europa.eu/edpb_en

EDPB, Guidelines 4/2019 on Article 25 Data Protection by Design and by Default Version 2.0 Adopted on 20 October 2020: https://www.edpb.europa.eu/sites/default/files/files/file1/edpb_guidelines_201904_dataprotection_by_design_and_by_default_v2.0_en.pdf

Commission Implementing Decision (Eu) 2021/915 of 4 June 2021 on standard contractual clauses between controllers and processors under Article 28(7) of Regulation (EU) 2016/679 of the European Parliament and of the Council and Article 29(7) of Regulation (EU) 2018/1725 of the European Parliament and of the Council (Text with EEA relevance) OJ L 199, 7.6.2021, p. 18–30: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32021D0915

Data protection. Rules for the protection of personal data inside and outside the EU: https://commission.europa.eu/law/law-topic/data-protection_en

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Attachment 1.
Data Protection Policy

Preamble

The [name of the project] Data Protection

The [name of the project] Data Protection Policy includes the main concepts, the legal basis and the ethical issues for the data protection and privacy in research.

It aims at assisting the [name of the project] consortium by providing a tool to guide partners when performing research and training activities for the project.

It is strongly recommended to look carefully to notions and measures set and all [name of the project] partners are invited to report breach or disturbances in relation to the processing of personal data.

Section 1. General Provisions

Purpose and scope

Privacy and data protection are fundamentals rights protected throughout the conduct of research.

Data protection aims at safeguarding the individuals' right to privacy and implies to refer to the legal framework designed to ensure that personal data are safe from unintended, unforeseen or malevolent use.

Data protection involves those measures concerning access to data, collection, communication and conservation of data but also data protection strategy to assure the accuracy of the data.

Section 2. Definitions

"Personal data" means any information relating to identified or identifiable natural persons ('data subjects')

"Identifiable natural 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;

"Special categories of data" includes personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, genetic data, biometric data, data concerning health and data relating to sexual orientation or activity;

"Processing" ('processing of personal data') means 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, consultation, use, disclosure, transmission, dissemination or otherwise making available, alignment or combination, blocking, erasure or destruction;

"Profiling" means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to

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analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements;

“Controller” means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;

“Processor” means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;

“Recipient” means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing

“Third party’ means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data;

“The data subjects’ consent” means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her;

“Personal data breach” means a breach of security leading to accidental or unlawful destruction, loss, alteration, unauthorised disclosure, or access to personal data transmitted, stored or otherwise processed.

“Cross-border processing” means either:

a. processing of personal data which takes place in the context of the activities of establishments in more than one Member State of a controller or processor in the Union where the controller or processor is established in more than one Member State; or

b. processing of personal data which takes place in the context of the activities of a single establishment of a controller or processor in the Union but which substantially affects or is likely to substantially affect data subjects in more than one Member State.

Section 3. Purposes of processing operations

Personal data can be processed only for scientific research and activities suitable for the [name of the project], safety and security purposes, and any other activities pertaining to the objective of the project.

Section 4. Principles for processing personal data

‘Lawfulness, fairness and transparency’: data are collected, processed and stored in a lawful, fair and transparent manner, in relation to the data subject;

‘Justification’: data are collected for specific, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;

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'Data minimisation': collection is made in an adequate, relevant and limited manner to the extent that is necessary in relation to the purposes for which they are processed;

'Accuracy': data are accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that inaccurate personal data, having regard to the purposes for which they are processed, are erased or rectified without delay;

'Storage limitation': data are kept in a form that permits identification of data subjects for no longer than is necessary and for the purposes for which the personal data are processed;

'Integrity and confidentiality': data are processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

'Principle of equivalence': parties are required to provide that the flow of personal data to end from a third country may only take place if the third country in question ensures an adequate level of data protection[1];

'Security of data processing': data are processed in a manner that ensures their security, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage. Technical or organisational measures to protect data are assessed taking into consideration the state of the art and related costs[2];

'Substantive rights': data subject has right of access to data, the right to object the processing and the right to have data rectified and erased. The data subject has the right not to be subject to a decision based solely on automated processing;

'Convergence and cooperation in data flows': parties guarantee convergence of personal data protection regimes based on modern and strong protections to support the international flow of data[3].

Section 5. Informed consent

'The data subject's consent means any freely given, specific, informed and unambiguous indication of assent/ agreement to personal data being processed'

The principles of fair and transparent processing require that the data subject be informed of the existence of the processing operation and its purposes.

The controller should provide the data subject with any further information necessary to ensure fair and transparent processing taking into account the specific circumstances and context in which the personal data are processed.

The data subject should be informed of the existence of profiling and the consequences of such profiling. Where personal data can be legitimately disclosed to another recipient, the data subject should be informed when the personal data are first disclosed to the recipient.

[1] Commission decision 5 february 2010 on standard contractual clauses for the transfer of personal data to processors established in third countries under directive 95/46/EC of the European Parliament and of the Council.

[2] Commission pursuant Regulation EU 2016/679 of the European Parliament and of the Council on the adequate protection of personal data by the United Kingdom par. 46.

[3] Action Document for International Digital Cooperation–Personal data protection and data flows Commission Implementing Decision on the 2020 Annual Action Programme for the Partnership Instrument.

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Where the controller intends to process the personal data for a purpose other than that for which they were collected, the controller should provide the data subject prior to that further processing with information on that other purpose and other necessary information.

Section 5.1. Features of Informed consent

Freely given

Consent is valid if data subjects are able to exercise a real choice and deception, intimidation or coercion undermine the validity of consent. Participants (and data subjects) must be given sufficient information in order to be able to make an unrestricted choice of whether or not to participate.

Any choice is based on the understanding of the risks as well as of the alternatives. In any case it is ensure an environment free from any coercion.

Specific and intelligible

Purpose/s and the consequences of the data processing are clearly and precisely detailed and consent cannot apply to an open-ended set of processing activities.

Consent is also given in relation to determined identified aspects of the processing and include notably the categories of data processed and the purpose/s of the processing. Consent refers to reasonable processing, which is proportionate and necessary in relation to the purpose/s. In case of different operations informed consent obtained is specific as long as they are covered by the data subject's reasonable expectations.

Informed

Appreciation and understanding of the facts, risks and consequences are a precondition for valid consent. Data subjects must be informed about their right to withdraw the consent at any time and without any justification and to have their data deleted, Prior information concern all relevant issues and must be given, in a clear and understandable manner, accurate and full information. Data subject is informed about:

a. nature of the data processed
b. purpose/s of the processing ('secondary processing', if applicable)
c. recipients of possible transfers
d. the time-limits for storing the data
e. rights of the data subject (Article 16 of EUI's Data Protection Policy);
f. absence of negative consequences if consent is not given.

Section 6. Rights of the data subjects

Data subjects enjoy the following rights concerning their personal data:

a. to be informed whether, how, by whom and for which purpose they are processed;
b. to ask for their rectification, in case they are inaccurate or incomplete;
c. to demand their erasure in case the processing is unlawful or no longer lawful ('right to be forgotten');
d. to block their further processing whilst the conditions under letters (b)

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e. addressed to the Controller who shall reply within 30 working days.

Section 7. Security of processing

Security of personal data shall be safeguarded through adequate technical and organisational measures as pseudonymisation or encryption of personal data.

The level of security is appropriate to the risks represented by the processing and the nature of the personal data concerned.

Measures shall be taken to prevent all forms of unlawful, unauthorised or accidental processing in particular any unauthorised disclosure or access, accidental and unlawful destruction or loss, or alteration.

In case of data processing through automated means, measures are taken with the aim of:

a. preventing any unauthorised person from gaining access to systems processing personal data and from any processing of data;

b. ensuring that authorised users of a data-processing system can only access personal data covered by their access rights;

c. recording which personal data have been processed, when and by whom;

d. ensuring that, during communication of personal data and during transport of storage media, the data cannot be read, copied or erased without authorisation;

e. designing the organisational structure that will meet the special requirements of data protection.

Data subjects shall be informed in a timely manner about security risks and any security breaches potentially affecting them.

Section 8. Notification of a personal data breach

The Controller shall notify any personal data breach no later than 72 hours after having become aware of it. Any delays must be motivated.

The Processor shall notify the Controller without undue delay after becoming aware of a personal data breach.

The notification shall at least:

a. state the nature and likely consequences of the personal data breach, as well as, the categories and approximate number of data subjects and personal data records concerned;

b. explain the remedial actions taken and, where appropriate, measures to mitigate the effects of the personal data breach.

In duly justified cases, the information may be provided in phases without delay. The Controller shall document in detail any personal data breaches, comprising at least the facts relating to the breach, its effects and the remedial actions taken.

The Controller shall communicate the personal data breach to the data subjects concerned without undue delay.

The communication to the data subjects shall:

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a. state the nature and likely consequences of the personal data breach;

b. explain the remedial actions taken and, where appropriate, measures to mitigate the effects of the personal data breach;

c. provide the name and contact details of the Data Protection Officer.

The communication to the data subject is not required if:

a. the controller has implemented appropriate technical and organizational measures to the personal data affected by the security breach;

b. the controller has taken effective remedial actions;

c. it would involve disproportionate effort. In such a case, the communication is made through an equally effective manner, such as a public communication.

Section 9. Information provided to data subjects

Controllers provide the data subjects with any information necessary for effectively exercising their rights, such as:

a. the identity and the contact details of the Controller;

b. the legal basis for the processing operation;

c. the purpose of the processing;

d. the time-limits for storing the data;

e. where applicable, the fact that the Controller intends to transfer personal data to a third party and the reference to the appropriate safeguards;

f. the possibility to ask for review.

If data subjects provide data themselves, the Controller specifies which data are optional and the consequences of not providing them.

If data are provided by third persons or institutions, the Controller provides the data subject with the information mentioned in paragraph 1. This information must be provided when the personal data are collected or, if disclosure to a third party is envisaged, no later than the data are first disclosed. Any further information provided to the data subject has to respect professional secrecy.

Section 10. Transfer of personal data to third parties

When personal data are transferred from the Union to controllers, processors or other recipients in third countries or to international organisations, the level of protection of natural persons ensured in the Union by the GDPR should not be undermined, including in cases of onward transfers of personal data from the third country or international organisation to controllers, processors in the same or another third country or international organisation.

In any event, transfers to third countries and international organisations may only be carried out in full compliance with the GDPR. A transfer could take place only if, subject to the other provisions of the GDPR, the conditions laid down in the provisions of the GDPR relating to the transfer of personal data to third countries or international organisations are complied with by the controller or processor.

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Personal data may be transferred to third parties only for research purposes, and only when all parties of the transfer have in place adequate safeguards for the protection of personal data.

Transfers are allowed under the following conditions:

a. as long as the data are necessary for the legitimate performance of tasks covered by the competence of the recipient;

b. if the recipient establishes that the data are necessary for the performance of a task carried out in the public interest or subject to the exercise of public authority,

c. if the recipient establishes the necessity of having the data transferred and if there is no reason to assume that the data subject's legitimate interests might be prejudiced.

The [name of the project] consortium will follow the Commission power to determine and revoke whether a territory or specified sector within a third country, or an international organisation, offers an adequate level of data protection, thus providing legal certainty and uniformity throughout the Union as regards the third country or international organisation which is considered to provide such level of protection. In such cases, transfers of personal data to that third country or international organisation may take place without the need to obtain any further authorisation.

Section 11. Processing for research purposes

Personal data collected for research purposes can be further processed only for the scientific objectives for which they were first collected.

Such data may be publicly disclosed only if:

a. the data subjects have given their consent; or

b. the data subjects have made the data public.

Distribution shall be excluded or limited when this is required by data subjects' interests.

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Attachment 2.

General information on the treatment of personal data for the [name of the project] project

Information

The use of your personal data is in compliance with the 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) hereafter referred to as GDPR[4].

According to the GDPR dispositions on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, this information sheet is meant to inform you about the way your personal data are processed by [to be completed] in compliance with the above-mentioned regulation and the duty of secrecy/obligation of confidentiality you are bound to.

Contacts

The Data Controller [to be completed]

office in [to be completed]

contact e-mail: [to be completed]

The person responsible for the protection of [partner name] data is [to be completed]

contact e-mail: [to be completed]

Aims and compulsory elements of the processing

[to be completed] processes personal data for the aims provided by the GDPR (i.e. for the implementation of its own institutional tasks and public interests), including the aims of transparency, communication, scientific divulgation and filing.

[4] 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) (Text with EEA relevance), OJ L 119, 4.5.2016, p. 1–88.

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Processing and preservation procedures

Pursuant to Article 5 of the GDPR[5], the personal data will be handled by [to be completed] in accordance with the principles of lawfulness, fairness, transparency and minimisation. The data will be conserved for the time necessary for the achievement of the aims for which they have been collected and processed.

In accordance with Article 32 of the GDPR[6], the personal data will be processed on the operative premises of [to be completed] using prevalent computer-related and telematics equipment. Also, in compliance with Article 29 of the GDPR[7], the personal data will be processed with the help of expressly designated persons.

Ambit of communication and diffusion

[to be completed] will never spread nor subject the personal data to communication without your explicit consent, except for necessary communications that may involve the transfer of

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[5] GDPR, Art. 5, Principles relating to processing of personal data: 1. Personal data shall be: (a) processed lawfully, fairly and in a transparent manner in relation to the data subject ('lawfulness, fairness and transparency'); (b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall, in accordance with Article 89(1), not be considered to be incompatible with the initial purposes ('purpose limitation'); (c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation'); (d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy'); (e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject('storage limitation');(f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality'). 2. The controller shall be responsible for, and be able to demonstrate compliance with, paragraph 1 ('accountability').

[6] GDPR, Art.32, Security of processing: 1. Taking into account the state of the art, the costs of implementation and the nature, scope, context and purposes of processing as well as the risk of varying likelihood and severity for the rights and freedoms of natural persons, the controller and the processor shall implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk, including inter alia as appropriate:(a) the pseudonymisation and encryption of personal data; b) the ability to ensure the ongoing confidentiality, integrity, availability and resilience of processing systems and services; (c) the ability to restore the availability and access to personal data in a timely manner in the event of a physical or technical incident; (d) a process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures for ensuring the security of the processing. 2. In assessing the appropriate level of security account shall be taken in particular of the risks that are presented by processing, in particular from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data transmitted, stored or otherwise processed. 3. Adherence to an approved code of conduct as referred to in Article 40 or an approved certification mechanism as referred to in Article 42 may be used as an element by which to demonstrate compliance with the requirements set out in paragraph 1 of this Article. 4. The controller and processor shall take steps to ensure that any natural person acting under the authority of the controller or the processor who has access to personal data does not process them except on instructions from the controller, unless he or she is required to do so by Union or Member State law.

[7] GDPR, ART. 29: Processing under the authority of the controller or processor: The processor and any person acting under the authority of the controller or of the processor, who has access to personal data, shall not process those data except on instructions from the controller, unless required to do so by Union or Member State law.

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data to public authorities, advisers, legal counsels, collaborators or any other subject in order to fulfil legal obligations.

Transfer of personal data

[to be completed] may transfer personal data within member States of the European Union but not within countries that do not belong to the European Union, unless explicit communication to that effect is provided.

The right to withdraw consent

The data subject shall have the right to withdraw his or her consent at any time. The withdrawal of consent shall not:

a. affect the lawfulness of processing based on consent before its withdrawal; nor

b. further cases of processing of the same data founded on other legal bases (e.g. contractual or legal obligations to which the Data Controller is subject).

Rights of the person concerned

At any moment, it is possible to access, rectify, cancel or object to your personal data, as such may pertain to its use or collection. This is provided in conformity with Articles 15-22 of the GDPR, which provide the following rights:

a. To require the confirmation on the existence or not of your personal data[8];

b. To obtain indications of the processing purposes, the personal data category, the recipients and the storage time[9];

c. To request your personal data correction or cancellation[10];

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[8] GDPR Art. 15, Right of access by the data subject 1. The data subject shall have the right to obtain from the controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and the following information: (a) the purposes of the processing; (b) the categories of personal data concerned; (c) the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations; (d) where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period; (e) the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing; (f) the right to lodge a complaint with a supervisory authority; (g) where the personal data are not collected from the data subject, any available information as to their source; (h) the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject. 2. Where personal data are transferred to a third country or to an international organisation, the data subject shall have the right to be informed of the appropriate safeguards pursuant to Article 46 relating to the transfer. 3. The controller shall provide a copy of the personal data undergoing processing. For any further copies requested by the data subject, the controller may charge a reasonable fee based on administrative costs. Where the data subject makes the request by electronic means, and unless otherwise requested by the data subject, the information shall be provided in a commonly used electronic form. 4. The right to obtain a copy referred to in paragraph 3 shall not adversely affect the rights and freedoms of others.

[9] GDPR Art.16, Right to rectification: The data subject shall have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

[10] GDPR Art. 17, Right to erasure ('right to be forgotten') 1. The data subject shall have the right to obtain from the controller the erasure of personal data concerning him or her without undue delay and the controller shall have the

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d. To get the processing restriction[11];

e. To obtain the portability of data: a data controller receives data in a structured and readable format from another data controller without impediments[12];

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obligation to erase personal data without undue delay where one of the following grounds applies: (a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; (b) the data subject withdraws consent on which the processing is based according to point (a) of Article 6(1), or point (a) of Article 9(2), and where there is no other legal ground for the processing; (c) the data subject objects to the processing pursuant to Article 21(1) and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2); (d) the personal data have been unlawfully processed; (e) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject; (f) the personal data have been collected in relation to the offer of information society services referred to in Article 8(1). 2. Where the controller has made the personal data public and is obliged pursuant to paragraph 1 to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that the data subject has requested the erasure by such controllers of any links to, or copy or replication of, those personal data. 3. Paragraphs 1 and 2 shall not apply to the extent that processing is necessary: (a) for exercising the right of freedom of expression and information; (b) for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller; (c) for reasons of public interest in the area of public health in accordance with points (h) and (i) of Article 9(2) as well as Article 9(3); (d) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) in so far as the right referred to in paragraph 1 is likely to render impossible or seriously impair the achievement of the objectives of that processing; or (e) for the establishment, exercise or defence of legal claims.

[11] GDPR Art. 18, Right to restriction of processing: 1. The data subject shall have the right to obtain from the controller restriction of processing where one of the following applies:(a) the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data; (b) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead; (c) the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims; (d) the data subject has objected to processing pursuant to Article 21(1) pending the verification whether the legitimate grounds of the controller override those of the data subject. 2. Where processing has been restricted under paragraph 1, such personal data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State. 3. A data subject who has obtained restriction of processing pursuant to paragraph 1 shall be informed by the controller before the restriction of processing is lifted; GDPR Art. 19, Notification obligation regarding rectification or erasure of personal data or restriction of processing: The controller shall communicate any rectification or erasure of personal data or restriction of processing carried out in accordance with Article 16, Article 17(1) and Article 18 to each recipient to whom the personal data have been disclosed, unless this proves impossible or involves disproportionate effort. The controller shall inform the data subject about those recipients if the data subject requests it.

[12] GDPR Art. 20, Right to data portability 1. The data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, where: (a) the processing is based on consent pursuant to point (a) of Article 6(1) or point (a) of Article 9(2) or on a contract pursuant to point (b) of Article 6(1); and (b) the processing is carried out by automated means. 2. In exercising his or her right to data portability pursuant to paragraph 1, the data subject shall have the right to have the personal data transmitted directly from one controller to another, where technically feasible. 3. The exercise of the right referred to in paragraph 1 of this Article shall be without prejudice to Article 17. That right shall not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. 4. The right referred to in paragraph 1 shall not adversely affect the rights and freedoms of others.

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f. To object to the processing of your personal information at any time, and in case of direct marketing purposes as well[13];

g. To object to an automated decision making, relating to natural individuals, and profiling is included[14];

h. To require the personal data access, rectification, cancellation, restriction or objection, besides the right of portability;

i. To withdraw the consent at any time without prejudicing the lawfulness of the processing based on a prior consent;

j. To lodge a complaint with the Data Controller.

In order to assert these rights, please send a written request, together with the scanning of an identification document, to [to be completed] at the following e-mail address [to be completed] Requests will be treated with the greatest care to guarantee the effective exercise of one's own rights, within the terms established by the GDPR.

Complaints

Complaints or questions relative to the protection and privacy of data must be addressed to the person in charge of the protection of data, [to be completed]; contact e-mail: [to be completed]

You will also have the right to make a complaint to the national control authority: [to be completed].

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[13] GDPR Art. 21 Right to object and automated individual decision-making- Right to object 1. The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her which is based on point (e) or (f) of Article 6(1), including profiling based on those provisions. The controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims. 2. Where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing, which includes profiling to the extent that it is related to such direct marketing. 3. Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes 4. At the latest at the time of the first communication with the data subject, the right referred to in paragraphs 1 and 2 shall be explicitly brought to the attention of the data subject and shall be presented clearly and separately from any other information. 5. In the context of the use of information society services, and notwithstanding Directive 2002/58/EC, the data subject may exercise his or her right to object by automated means using technical specifications. 6. Where personal data are processed for scientific or historical research purposes or statistical purposes pursuant to Article 89(1), the data subject, on grounds relating to his or her particular situation, shall have the right to object to processing of personal data concerning him or her, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

[14] GDPR Art. 22, Automated individual decision-making, including profiling 1. The data subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her. 2. Paragraph 1 shall not apply if the decision: (a) is necessary for entering into, or performance of, a contract between the data subject and a data controller; (b) is authorised by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests; or (c) is based on the data subject's explicit consent. 3. In the cases referred to in points (a) and (c) of paragraph 2, the data controller shall implement suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express his or her point of view and to contest the decision. 4. Decisions referred to in paragraph 2 shall not be based on special categories of personal data referred to in Article 9(1), unless point (a) or (g) of Article 9(2) applies and suitable measures to safeguard the data subject's rights and freedoms and legitimate interests are in place.

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Attachment 3.
[name of the project] Table purpose of processing: Scientific Research

Purpose of processing: Scientific Research	Information	Notes
1. Data Controller	Who is?	
2. Data Processor	Who is?	
3. Categories of personal data	• Personal data (art. 4) • Data belonging to special categories (art. 9) • Both data types	Describe the data, sorting them into the corresponding categories
4. Kind of processing	e.g. Collection, Destruction, Recording, etc.	Briefly describe each action planned
5. Recipients to whom data will be disclosed	e.g. Partner, etc.	
6. Categories of data subjects to whom the data refer	Choose: • Employees/consultants • Minors • Vulnerable persons (victims of violence or abuse, refugees, asylum seekers) • Citizens • Patients • Participants in research activities • Project stakeholders • Other (please specify)	
7. Place (physical or virtual) of data storage	e.g. Room, Office, PC, etc.	
8. Security measures	e.g. Office's key, Password, Cryptography, etc.	Describe each measure according to the kind of data, location of storage, recipients and categories of data subjects
Transfers of personal data to third countries	Yes/No	If Yes, specify: • whether it is a European or Third Country • which country is

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NOTES

1) Article 24, co. 1, GDPR: "1. Taking into account the nature, scope, context and purposes of processing as well as the risks of varying likelihood and severity for the rights and freedoms of natural persons, **the controller shall implement appropriate technical and organisational measures to ensure and to be able to demonstrate that processing is performed in accordance with this Regulation**. Those measures shall be reviewed and updated where necessary".

2) Article 28, co. 1, GDPR: "1. **Where processing is to be carried out on behalf of a controller, the controller** shall use only processors providing sufficient guarantees to implement appropriate technical and organisational measures in such a manner that processing will meet the requirements of this Regulation and ensure the protection of the rights of the data subject."

3) Art.4, co. 1, GDPR: "**personal data** means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural 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;

Art.9, GDPR: "personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation".

4) Art.4, co. 2, GDPR: "**processing** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated 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".

5) Art. 4, co. 9, GDPR: "recipient means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

8) Art. 32, GDPR: "**Security of processing**":

Taking into account the state of the art, the costs of implementation and the nature, scope, context and purposes of processing as well as the risk of varying likelihood and severity for the rights and freedoms of natural persons, the controller and the processor shall implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk, including inter alia as appropriate:

a. the pseudonymisation and encryption of personal data;
b. the ability to ensure the ongoing confidentiality, integrity, availability and resilience of processing systems and services;
c. the ability to restore the availability and access to personal data in a timely manner in the event of a physical or technical incident;

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d. a process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures for ensuring the security of the processing.

In assessing the appropriate level of security account shall be taken in particular of the risks that are presented by processing, in particular from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data transmitted, stored or otherwise processed.

Adherence to an approved code of conduct as referred to in Article 40 or an approved certification mechanism as referred to in Article 42 may be used as an element by which to demonstrate compliance with the requirements set out in paragraph 1 of this Article.

The controller and processor shall take steps to ensure that any natural person acting under the authority of the controller or the processor who has access to personal data does not process them except on instructions from the controller, unless he or she is required to do so by Union or Member State law."

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Attachment 3.1.
[name of the project] Questionnaire Privacy Statement

Information about use of personal data with regard to scientific research

Pursuant 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), hereafter referred to as GDPR[15] art.13-1416.

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[15] 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) (Text with EEA relevance), OJ L 119, 4.5.2016, p. 1–88.

[16] GDPR Art. 13, Information to be provided where personal data are collected from the data subject 1. Where personal data relating to a data subject are collected from the data subject, the controller shall, at the time when personal data are obtained, provide the data subject with all of the following information: (a) the identity and the contact details of the controller and, where applicable, of the controller's representative; (b) the contact details of the data protection officer, where applicable; (c) the purposes of the processing for which the personal data are intended as well as the legal basis for the processing; (d) where the processing is based on point (f) of Article 6(1), the legitimate interests pursued by the controller or by a third party; (e) the recipients or categories of recipients of the personal data, if any; (f) where applicable, the fact that the controller intends to transfer personal data to a third country or international organisation and the existence or absence of an adequacy decision by the Commission, or in the case of transfers referred to in Article 46 or 47, or the second subparagraph of Article 49(1), reference to the appropriate or suitable safeguards and the means by which to obtain a copy of them or where they have been made available. 2. In addition to the information referred to in paragraph 1, the controller shall, at the time when personal data are obtained, provide the data subject with the following further information necessary to ensure fair and transparent processing: (a) the period for which the personal data will be stored, or if that is not possible, the criteria used to determine that period; (b) the existence of the right to request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject or to object to processing as well as the right to data portability; (c) where the processing is based on point (a) of Article 6(1) or point (a) of Article 9(2), the existence of the right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal; (d) the right to lodge a complaint with a supervisory authority; (e) whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether the data subject is obliged to provide the personal data and of the possible consequences of failure to provide such data; (f) the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject. 3. Where the controller intends to further process the personal data for a purpose other than that for which the personal data were collected, the controller shall provide the data subject prior to that further processing with information on that other purpose and with any relevant further information as referred to in paragraph 2. 4. Paragraphs 1, 2 and 3 shall not apply where and insofar as the data subject already has the information; GDPR Art. 14 Information to be provided where personal data have not been obtained from the data subject1. Where personal data have not been obtained from the data subject, the controller shall provide the data subject with the following information:(a) the identity and the contact details of the controller and, where applicable, of the controller's representative;(b) the contact details of the data protection officer, where applicable; (c) the purposes of the processing for which the personal data are intended as well as the legal basis for the processing; (d) the categories of personal data concerned; (e) the recipients or categories of recipients of the personal data, if any; (f) where applicable, that the controller intends to transfer personal data to a recipient in a third country or international organisation and the existence or absence of an adequacy decision by the Commission, or in the case of transfers referred to in Article 46 or 47, or the second subparagraph of Article 49(1), reference to the appropriate or suitable safeguards and the means to obtain a copy of them or where they have been made available. 2. In addition

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Privacy statement on the protection of personal data

1. Introduction

This questionnaire, as a survey developed by the [name of the project] Consortium, is committed to user privacy.

2. Independent controllers

[name of the project] partners

[to be completed with the list of partners]

as controllers of your personal data

According to the GDPR Art. 13 and following articles, Parties are supplying the following information regarding the processing of data:

[complete for each partner]

- The controller for [to be completed] contact e-mail: [to be completed]
- The Data Protection Officer for [to be completed] is [to be completed]
- Contact e-mail: [to be completed]

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to the information referred to in paragraph 1, the controller shall provide the data subject with the following information necessary to ensure fair and transparent processing in respect of the data subject: (a) the period for which the personal data will be stored, or if that is not possible, the criteria used to determine that period; (b) where the processing is based on point (f) of Article 6(1), the legitimate interests pursued by the controller or by a third party; (c) the existence of the right to request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject and to object to processing as well as the right to data portability; (d) where processing is based on point (a) of Article 6(1) or point (a) of Article 9(2), the existence of the right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal; (e) the right to lodge a complaint with a supervisory authority; (f) from which source the personal data originate, and if applicable, whether it came from publicly accessible sources; (g) the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject. 3. The controller shall provide the information referred to in paragraphs 1 and 2: (a) within a reasonable period after obtaining the personal data, but at the latest within one month, having regard to the specific circumstances in which the personal data are processed; (b) if the personal data are to be used for communication with the data subject, at the latest at the time of the first communication to that data subject; or (c) if a disclosure to another recipient is envisaged, at the latest when the personal data are first disclosed. 4. Where the controller intends to further process the personal data for a purpose other than that for which the personal data were obtained, the controller shall provide the data subject prior to that further processing with information on that other purpose and with any relevant further information as referred to in paragraph 2. 5. Paragraphs 1 to 4 shall not apply where and insofar as: (a) the data subject already has the information; (b) the provision of such information proves impossible or would involve a disproportionate effort, in particular for processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, subject to the conditions and safeguards referred to in Article 89(1) or in so far as the obligation referred to in paragraph 1 of this Article is likely to render impossible or seriously impair the achievement of the objectives of that processing. In such cases the controller shall take appropriate measures to protect the data subject's rights and freedoms and legitimate interests, including making the information publicly available; (c) obtaining or disclosure is expressly laid down by Union or Member State law to which the controller is subject and which provides appropriate measures to protect the data subject's legitimate interests; or (d) where the personal data must remain confidential subject to an obligation of professional secrecy regulated by Union or Member State law, including a statutory obligation of secrecy.

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- The internal person in charge of the processing of data for [to be completed] is, [to be completed] contact e-mail: [to be completed]

3. Privacy Policy

The policy on the protection of natural persons with regard to the processing of personal data is based on the principles of correctness, lawfulness and transparency as well as the protection of confidentiality and Your rights.

Therefore, we provide YOU with the following information:

What data do we collect?

Our Consortium collects the following data:

- Personal identification information (his/her/their name, academic title, email address, phone number, company name, position, department, etc.)

We collect your data only upon your expression of consent and remove it upon your withdrawal of consent at any time.

How do we collect your data?

You directly provide Our Consortium with most of the data we collect. We collect data and process data when you:

- Voluntarily complete this survey or provide feedback via email.

How will we use your data?

- Our Consortium collects your data so that we can:
- Develop [name of the project] competence profile;
- Email you with [name of the project] newsletters, if you agree.
- To prevent and detect fraud against either you or the consortium – unfortunate, but absolutely essential

4. Data Retention

Each member of the [name of the project] Consortium will keep your personal data for [to be completed] years after project completion [to be completed]. Once this period has expired, we will delete your personal data

However, they may be used only for scientific research purposes even after the end of the project in compliance with the GDPR 2016/679.

5. Data protection rights

Each member of the [name of the project] Consortium would like to make sure you are fully aware of all of your data protection rights. Every user is entitled to the following:

- The right to access
- The right to rectification
- The right to erasure
- The right to restrict processing

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- The right to object to processing
- The right to data portability

If you make a request, we have one month to respond to you. If you would like to exercise any of these rights, please contact us at email: [to be completed]

How to contact us

If you have any questions about Our Consortium's privacy policy, the data we hold on you, or you would like to exercise one of your data protection rights, please do not hesitate to contact us.

Email us at: [to be completed]

Call us: [to be completed]

Or write to us at: [to be completed]

How to contact the appropriate authority

Should you wish to report a complaint or if you feel that Our Consortium has not addressed your concern in a satisfactory manner, you may contact the Information Commissioner's Office of the country of Each member of the [name of the project] Consortium.

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Attachment 4.
[name of the project] Table purpose of processing: Communication and Dissemination

Purpose of processing: Communication and Dissemination	Information	Notes
1. Data Controller	Who is?	
2. Data Processor	Who is?	
3. Categories of personal data	• Personal data (art. 4) • Data belonging to special categories (art. 9) • Both data types	Describe the data, sorting them into the corresponding categories
4. Kind of processing	e.g. Collection, Destruction, Recording, etc.	Briefly describe each action planned
5. Recipients to whom data will be disclosed	e.g. Partner, etc.	
6. Categories of data subjects to whom the data refer	Choose: • Employees/consultants • Minors • Vulnerable persons (victims of violence or abuse, refugees, asylum seekers) • Citizens • Patients • Participants in research activities • Project stakeholders • Other (please specify)	
7. Place (physical or virtual) of data storage	e.g. Room, Office, PC, etc.	
8. Security measures	e.g. Office's key, Password, Cryptography, etc.	Describe each measure according to the kind of data, location of storage, recipients and categories of data subjects
Transfers of personal data to third countries	Yes/No	If Yes, specify: • whether it is a European or Third Country • which country is

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NOTES

1) Article 24, co. 1, GDPR: "1. Taking into account the nature, scope, context and purposes of processing as well as the risks of varying likelihood and severity for the rights and freedoms of natural persons, **the controller shall implement appropriate technical and organisational measures to ensure and to be able to demonstrate that processing is performed in accordance with this Regulation**. Those measures shall be reviewed and updated where necessary".

2) Article 28, co. 1, GDPR: "1. **Where processing is to be carried out on behalf of a controller, the controller** shall use only processors providing sufficient guarantees to implement appropriate technical and organisational measures in such a manner that processing will meet the requirements of this Regulation and ensure the protection of the rights of the data subject."

3) Art.4, co. 1, GDPR: "**personal data** means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural 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;

Art.9, GDPR: "personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation".

4) Art.4, co. 2, GDPR: "**processing** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated 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".

5) Art. 4, co. 9, GDPR: "recipient means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

8) Art. 32, GDPR: "**Security of processing**":

Taking into account the state of the art, the costs of implementation and the nature, scope, context and purposes of processing as well as the risk of varying likelihood and severity for the rights and freedoms of natural persons, the controller and the processor shall implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk, including inter alia as appropriate:

a. the pseudonymisation and encryption of personal data;
b. the ability to ensure the ongoing confidentiality, integrity, availability and resilience of processing systems and services;
c. the ability to restore the availability and access to personal data in a timely manner in the event of a physical or technical incident;

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d. a process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures for ensuring the security of the processing.

In assessing the appropriate level of security account shall be taken in particular of the risks that are presented by processing, in particular from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data transmitted, stored or otherwise processed.

Adherence to an approved code of conduct as referred to in Article 40 or an approved certification mechanism as referred to in Article 42 may be used as an element by which to demonstrate compliance with the requirements set out in paragraph 1 of this Article.

The controller and processor shall take steps to ensure that any natural person acting under the authority of the controller or the processor who has access to personal data does not process them except on instructions from the controller, unless he or she is required to do so by Union or Member State law."

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Attachment 5.
Social Media Policy [name of the project]

Introduction

This document aims to provide the knowledge, terms and conditions to manage the official social media accounts of the [name of the project] Project. The [name of the project] website reports the list of the active social media accounts, providing the links to its social media networks.

This policy may be applied to the specific social media networks (e.g. Facebook, Instagram, Twitter) and other platforms not already mentioned.

Accessibility

[to be completed] is responsible for the account management of the Social Networks. Upon his/her/their delegation and responsibility, it is possible to delegate the access of social media accounts to subjects external to their Organization, preferring the members of the [name of the project] Project. The creation of new accounts and the deletion must be authorised by the Legal Representative of the responsible and promptly communicated to the Management Group. All project members must be informed of each extraordinary event (e.g. creating and cancelling social media accounts).

Content management

Social media content will include information regarding the project activities and topics to raise awareness of the issues covered by the project, especially when representing a significant public and social interest. The management group will be notified of the social media content.

The management group is composed by:

- _____
- _____
- _____

In case of ethical issues, the management group may inform the **Ethics Manager** [to be completed] in order to analyse the issues and define appropriate contingency measures.

The topics covered must always be relevant, related to sure and verified facts, and respect the standard rules of netiquette (avoid using capital letters if not necessary, write clearly, respect the interlocutor, etc.)

End – users of social media activities

The end-users of Social Media activities are mainly:

- Members of the Project and institutionally connected
- Members of related EU funded Projects
- Local Communities (i.e. Citizens, Associations, Schools, Academies, NGOs)
- Public Institutions (EU Institutions, National and Local bodies, Public Administration, etc.)

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- Press Offices

Further End-Users can be included but must always be relevant to the project activities. The contents of the Communication and Dissemination in the Social Networks are chosen according to the communication recipients.

Communication style

The communication style will be informal, concerning the three main communication styles such as:

- Educational style, when the communicator places himself in a position of authority concerning his interlocutor to induce behaviour;
- Informative style, when the communicator places himself in a neutral position concerning his/her/their interlocutor and the message to be transmitted to give an informative communication;
- Entertainment style, when the communicator wants to convey a message that exploits a positive emotion aroused in his interlocutor;

The language used in the contents will be English, except in rare cases of specific communication needs (e.g. information directed to well determined audiences e.g. local communities). The communication will always respect the guidelines reported by the social platforms.

Moderation

The legal representative of [to be completed] delegates to one or more operators the communication activities of each social media account. Every delegated operator knows the passwords and can publish discretionally without moderation by the management group.

For other messages, moderation is applied by the legal representative of [to be completed] and by the management group.

The management group:

- invite users to a be polite and express useful comments relevant conversation;
- avoid hate speech;
- reserve the right to remove comments deemed illicit, defamatory and libellous, vulgar, harmful to the privacy of others that harm the dignity of persons and the dignity of the institutions, the rights of minorities and minors, the principles of freedom and equality, religious beliefs or beliefs that discriminate based on sex, language, race, political opinion, sexual orientation, age, nationality, marital status, status deriving from public assistance, physical disability or mental;
- reserve the right to remove any content deemed in violation of this social media policy or any applicable law, including copyright laws.

Moderators will also delete:

- Content that may affect the security;
- Content that violates the interest of a legal property of third parties;

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- Comments or posts that present sensitive data in violation of the GDRP;
- Advertising content and, more generally, use the messages for commercial purposes (promotion, sponsorship and sale of products or services);
- Content of a sexual nature or links to sites with such content;
- Comments aimed at offending the users of the page or whoever manages and moderates the social channels;
- Spam;
- Messages inserted repeatedly.

Moderators will also limit and remove:

- comments not relevant to that particular published topic (off-topic);
- comments and posts that disturb the discussion or offend.

For those who violate the contents of this policy, [to be completed] and his/her/their/its delegates will be able to use tools such as a ban or blocking to prevent further interventions and, in the most severe cases, to report the user to the managers of the platform and possibly to the police forces order in charge.

Privacy

The processing of personal data complies with the policies in use on the various social media platforms. Individual data posted in comments and public posts within the social media channels will be removed. The data shared by users through any private messages sent directly to the group that manages the social profiles will be processed in compliance with 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) hereafter referred to as GDPR[17], implemented at national level.

The images or photos uploaded to the platforms are considered personal data if they allow the identification of the person portrayed. To publish a photo or an image that identifies a subject on one of the platforms in use, it is recommended to obtain the consent of the person portrayed. Otherwise, the operator will have to proceed with the blurring of the face before inserting it in the comments and public posts on social media. The rule must be strictly applied to photos that portray minors, whose publication is in any case requested and recommended only if strictly necessary. Where applicable, the interested party also has the rights referred to in Articles 16-21 GDPR (Right of rectification, right to be forgotten, right to limitation of treatment, right to data portability, right of opposition[18]), as well as the right of complaint to the Guarantor Authority

[17] 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) (Text with EEA relevance), OJ L 119, 4.5.2016, p. 1–88.

[18] GDPR Art.16, Right to rectification: The data subject shall have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement. GDPR Art. 17, Right to erasure ('right to be forgotten') 1. The data subject shall have the right to obtain from the controller the erasure of personal data concerning him or her without undue delay and the controller shall have the obligation to erase personal data without undue delay where one of the following

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grounds applies: (a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; (b) the data subject withdraws consent on which the processing is based according to point (a) of Article 6(1), or point (a) of Article 9(2), and where there is no other legal ground for the processing; (c) the data subject objects to the processing pursuant to Article 21(1) and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2); (d) the personal data have been unlawfully processed; (e) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject; (f) the personal data have been collected in relation to the offer of information society services referred to in Article 8(1). 2. Where the controller has made the personal data public and is obliged pursuant to paragraph 1 to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that the data subject has requested the erasure by such controllers of any links to, or copy or replication of, those personal data. 3. Paragraphs 1 and 2 shall not apply to the extent that processing is necessary: (a) for exercising the right of freedom of expression and information; (b) for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller; (c) for reasons of public interest in the area of public health in accordance with points (h) and (i) of Article 9(2) as well as Article 9(3); (d) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) in so far as the right referred to in paragraph 1 is likely to render impossible or seriously impair the achievement of the objectives of that processing; or (e) for the establishment, exercise or defence of legal claims. GDPR Art. 18, Right to restriction of processing: 1. The data subject shall have the right to obtain from the controller restriction of processing where one of the following applies:(a) the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data; (b) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead; (c) the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims; (d) the data subject has objected to processing pursuant to Article 21(1) pending the verification whether the legitimate grounds of the controller override those of the data subject. 2. Where processing has been restricted under paragraph 1, such personal data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State. 3. A data subject who has obtained restriction of processing pursuant to paragraph 1 shall be informed by the controller before the restriction of processing is lifted GDPR Art. 19, Notification obligation regarding rectification or erasure of personal data or restriction of processing: The controller shall communicate any rectification or erasure of personal data or restriction of processing carried out in accordance with Article 16, Article 17(1) and Article 18 to each recipient to whom the personal data have been disclosed, unless this proves impossible or involves disproportionate effort. The controller shall inform the data subject about those recipients if the data subject requests it. GDPR Art. 20, Right to data portability 1. The data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, where: (a) the processing is based on consent pursuant to point (a) of Article 6(1) or point (a) of Article 9(2) or on a contract pursuant to point (b) of Article 6(1); and (b) the processing is carried out by automated means. 2. In exercising his or her right to data portability pursuant to paragraph 1, the data subject shall have the right to have the personal data transmitted directly from one controller to another, where technically feasible. 3. The exercise of the right referred to in paragraph 1 of this Article shall be without prejudice to Article 17. That right shall not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. 4. The right referred to in paragraph 1 shall not adversely affect the rights and freedoms of others. GDPR Art. 21 Right to object and automated individual decision-making- Right to object 1. The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her which is based on point (e) or (f) of Article 6(1), including profiling based on those provisions. The controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims. 2. Where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing, which includes profiling to the extent that it is related to such direct marketing. 3. Where the data subject objects to processing for direct marketing purposes, the personal data shall no

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(Article 77 of the GDPR[19]).

For more information regarding privacy and the processing of personal data within the [name of the project] Project, please refer to the appropriate page of the project website.

The cases exempted are reported by the rules concerning photographs and videos established for the [name of the project] Consortium during conferences and events.

Copyright

The [name of the project] social media content must comply with the copyright regulations. All the original documentation published in the social media is to be considered produced under the CC BY 4.0 license (https://creativecommons.org/licenses/by/4.0/deed.it)

Social media disclaimer

Any user is responsible for the messages sent, the content published and the opinions expressed. Failure to comply with the social media policy by the individual user may cause the application of preventive protection actions, according to what is signed by the document.

Ethics

Any activity relating to the use of social media platforms must comply with the ethical standards. Any published media must comply with the [name of the project] safeguards to protect personal data.

Contacts

Users can report any infringements (e.g. privacy violation) to...[to be completed].@.

longer be processed for such purposes 4. At the latest at the time of the first communication with the data subject, the right referred to in paragraphs 1 and 2 shall be explicitly brought to the attention of the data subject and shall be presented clearly and separately from any other information. 5. In the context of the use of information society services, and notwithstanding Directive 2002/58/EC, the data subject may exercise his or her right to object by automated means using technical specifications. 6. Where personal data are processed for scientific or historical research purposes or statistical purposes pursuant to Article 89(1), the data subject, on grounds relating to his or her particular situation, shall have the right to object to processing of personal data concerning him or her, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

[19] GDPR Art. 77 Right to lodge a complaint with a supervisory authority 1. Without prejudice to any other administrative or judicial remedy, every data subject shall have the right to lodge a complaint with a supervisory authority, in particular in the Member State of his or her habitual residence, place of work or place of the alleged infringement if the data subject considers that the processing of personal data relating to him or her infringes this Regulation. 2. The supervisory authority with which the complaint has been lodged shall inform the complainant on the progress and the outcome of the complaint including the possibility of a judicial remedy pursuant to Article 78.

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Attachment 6.
Information on the treatment of personal data for Stakeholders

Summary of information for Stakeholders

We respect the 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) hereafter referred to as GDPR[20], and this policy explains the way we collect and process any information provided by you. You will not find too much articulated legal terms or long passages of unreadable text. We have no desire to trick you agreeing into something you might later regret.

Our policy covers the following:

- Why do we value your privacy?;
- How do we collect information?;
- What kind of information do we hold?;
- Where do we store your information?;
- How do we use your information?;
- Who is responsible for your information?;
- Who has access to information about you?;
- What steps do we take to keep your information private?;
- How to complain?;
- Changes to the policy.

Why do we value your privacy?

We value your privacy as much as we do our own, so we are committed to keeping your personal and business information safe. We ask for only the bare minimum from our website's users. We will never use your personal information for any reason other than why you gave it, and we will never give anyone access to it unless we are forced to by law.

How do we collect information?

We ask for contact information, including your name, e-mail address and phone number on our website, so that we can reply to your enquiry. We ask for your account and contact information when you register for an account or when you will be contacted personally by phone.

[20] 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) (Text with EEA relevance), OJ L 119, 4.5.2016, p. 1–88.

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Occasionally, we might receive your contact information from one of our partners. If we do, we protect it in exactly the same way as if you give it to us directly.

What kind of information do we hold?

When you contact us by e-mail or through our website, we collect your name, e-mail address, phone number and the name of the company you work for (if given).

Where do we store your information?

When you contact us by e-mail or through our website, we store your information in our website's data log. When you register for an account at the [name of the project] Project, your information is stored in our platform. We chose these systems partly for their commitment to security.

How do we use your information for?

We occasionally use your contact information to send you details of our events and services. When we do, you have the option to unsubscribe from these communications, and we will not send them to you again.

Who is responsible for your information?

Partners of the [name of the project] Project and acting as Data processor for stakeholder's data, are responsible for the security of your information. You can contact them if you have any concerns about the information we store.

Who has access to information about you?

When we store information in our own systems, only the people who need it will have access. Our management team has access to everything you have provided, and the data is shared with project partners for project-related activities.

What steps do we take to keep your information private?

When we store your information in third-party services, we permit access only to people who need it. Passwords are encrypted.

How to complain?

We take complaints very seriously. If you have any reason to complain about the ways in which we handle your privacy, please contact [to be completed]:

- The controller for [to be completed] is [to be completed].; contact e-mail: [to be completed].
- The internal person in charge of processing data for [to be completed]. is [to be completed]; contact e-mail: [to be completed];

Changes to the policy

In case of changes in the contents of this policy, those will be in force at the time of their publication on our website.

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Attachment 7.
Informed consent for stakeholders

Privacy Control

[name of the project] will include your account data in a non-public Stakeholders' database.

[name of the project] will use the information you provide on this form to keep in touch with you and to provide updates regarding the Stakeholders' database.

Occasionally, we will use your contact information to send details of our events and services.

We have to specify that when we do, you have the option to unsubscribe from these communications, and we will not send them to you again.

Please let us know all the ways you would like to hear from us and use your data. You are able to edit your account data anytime and can unsubscribe from the database by contacting us.

Can we use your data?

☐ Yes, you can use my details in the Stakeholders' database.

☐ No, I don't agree.

Do you agree with our privacy policy?

☐ Yes, and I have read the Privacy Policy.

☐ No, I don't agree.

See Attachment 1 for more information on the use of your personal data, in compliance with 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) hereafter referred to as GDPR[21].

[21] 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) (Text with EEA relevance), OJ L 119, 4.5.2016, p. 1–88.

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Attachment 8.

Informed consent for speakers invited to conventions and events

Name and Surname: [to be completed]

Institution: [to be completed]

The undersigned person, [to be completed], born in [to be completed] on [to be completed], as speaker for the event entitled '[to be completed with the name of the event]', which will be held on .../.../.... [to be completed] at the [to be completed], in conformity with and for the effects of Article 13 and other relevant articles of 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) hereafter referred to as GDPR[22,23], that contain dispositions for the protection of persons and of other subjects with regard to the processing of personal data, as well as with the signing of the present form.

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[22] 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) (Text with EEA relevance), OJ L 119, 4.5.2016, p. 1–88.

[23] GDPR Art. 13, Information to be provided where personal data are collected from the data subject: 1. Where personal data relating to a data subject are collected from the data subject, the controller shall, at the time when personal data are obtained, provide the data subject with all of the following information:(a) the identity and the contact details of the controller and, where applicable, of the controller's representative;(b) the contact details of the data protection officer, where applicable;(c) the purposes of the processing for which the personal data are intended as well as the legal basis for the processing; (d) where the processing is based on point (f) of Article 6(1), the legitimate interests pursued by the controller or by a third party; (e) the recipients or categories of recipients of the personal data, if any; (f) where applicable, the fact that the controller intends to transfer personal data to a third country or international organisation and the existence or absence of an adequacy decision by the Commission, or in the case of transfers referred to in Article 46 or 47, or the second subparagraph of Article 49(1), reference to the appropriate or suitable safeguards and the means by which to obtain a copy of them or where they have been made available. 2. In addition to the information referred to in paragraph 1, the controller shall, at the time when personal data are obtained, provide the data subject with the following further information necessary to ensure fair and transparent processing: (a) the period for which the personal data will be stored, or if that is not possible, the criteria used to determine that period; (b) the existence of the right to request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject or to object to processing as well as the right to data portability; (c) where the processing is based on point (a) of Article 6(1) or point (a) of Article 9(2), the existence of the right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal; (d) the right to lodge a complaint with a supervisory authority; (e) whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether the data subject is obliged to provide the personal data and of the possible consequences of failure to provide such data; (f) the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject. 3. Where the controller intends to further process the personal data for a purpose other than that for which the personal data were collected, the controller shall provide the data subject prior to that further processing with information on that other purpose and with any relevant further information as referred to in paragraph 2. 4. Paragraphs 1, 2 and 3 shall not apply where and insofar as the data subject already has the information.

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Consent to

the following:

a. the collection of personal data;

b. the collection of photographs and videos for transmission and publication by means of streaming, as realised during the events of the project;

c. the collection of presentations, slides, etc., as utilised by the undersigned spokesman during his or her own presentation at Project events;

d. and the publication of the data and documents on the website of the above-indicated [to be completed with the name of the event].

The writer has been informed that the data processing mentioned above will be carried out for the following purposes:

1. promoting the [to be completed with the name of the event];
2. publishing the documents of the [to be completed with the name of the event];
3. and supplying services connected with the [to be completed with the name of the event].

In order to realise the aims stated above, the undersigned authorises the organisers of [to be completed with the name of the event] to collect and communicate personal data to external subjects or potential sponsors who will provide attestations of participation, in addition to updating the website of the [to be completed with the name of the event].

The subscription is evidence of the acknowledgement and understanding of the information regarding the processing of personal data, as well as the authorisation for the processing performed by the person responsible. Such processing is authorised for the purposes and following the procedures described above.

Read, confirmed and signed

[to be completed] (Place) on [to be completed] (Date)

Signature of the declarant [to be completed]

_____

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Attachment 9.

Informed consent of conventioneers/persons attending events

Request for registration for the [to be completed with the name of the event] and consent to the processing of personal data

Name and Surname: [to be completed]

Qualification/Function: [to be completed]

Institute of affiliation: [to be completed]

Address of the organisation: [to be completed]

Telephone: [to be completed]

E-mail: [to be completed]

Passport or identity card number (EU and 3rd-world countries): [to be completed] (Address, Country)

The undersigned [to be completed] born in [to be completed] on [to be completed] Fiscal Code [to be completed], in his/her/their capacity of [to be completed], and in conformity with and for the effect of Article 13 and other relevant articles of 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) hereafter referred to as GDPR[24,25],

[24] 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) (Text with EEA relevance), OJ L 119, 4.5.2016, p. 1–88.

[25] GDPR Art. 13, Information to be provided where personal data are collected from the data subject: 1. Where personal data relating to a data subject are collected from the data subject, the controller shall, at the time when personal data are obtained, provide the data subject with all of the following information:(a) the identity and the contact details of the controller and, where applicable, of the controller's representative;(b) the contact details of the data protection officer, where applicable;(c) the purposes of the processing for which the personal data are intended as well as the legal basis for the processing; (d) where the processing is based on point (f) of Article 6(1), the legitimate interests pursued by the controller or by a third party; (e) the recipients or categories of recipients of the personal data, if any; (f) where applicable, the fact that the controller intends to transfer personal data to a third country or international organisation and the existence or absence of an adequacy decision by the Commission, or in the case of transfers referred to in Article 46 or 47, or the second subparagraph of Article 49(1), reference to the appropriate or suitable safeguards and the means by which to obtain a copy of them or where they have been made available. 2. In addition to the information referred to in paragraph 1, the controller shall, at the time when personal data are obtained, provide the data subject with the following further information necessary to ensure fair and transparent processing: (a) the period for which the personal data will be stored, or if that is not possible, the criteria used to determine that period; (b) the existence of the right to request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject or to object to processing as well as the right to data portability; (c) where the processing is based on point (a) of Article 6(1) or point (a) of Article 9(2), the existence of the right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal; (d) the right to lodge a complaint with a supervisory authority; (e) whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether the data subject is obliged to provide the personal data and of the possible consequences of failure to provide such data; (f) the

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setting dispositions to safeguard persons and other subjects with regard to the processing of personal data, as well as with the signature of the present form.

Consent to

the following:

a. the collection of personal data, photographs and videos made for processing by means of streaming, as realised during the event;

b. the collection of e-mail and other contact data;

c. the publication of data and documents, as per points (a) and (b), on the website of the above-indicated Conference/Seminar/Event [to be completed].

The writer has been informed that the processing of data will be carried out for the following purposes:

1. realising and promoting the Conference/Seminar/Event, entitled [to be completed with the name of the event], within the ambit of the project [to be completed];
2. publishing the documents of the Conference/Seminar/Event;
3. and supplying services connected with the Conference/Seminar/Event.

For the purposes narrated above, the undersigned authorises the organisers to collect and communicate the personal data to other subjects, such as possible sponsors or external subjects who will realise testimonials of participation, in addition to updating the website of the Conference/Seminar/Event.

The subscription is evidence of the acknowledgement and understanding of the information regarding the processing of personal data as well as the authorisation of the processing performed by the person responsible. Such processing is authorised for the purposes and with the procedures described above.

Read, confirmed and signed

[to be completed] (Place) on [to be completed] (Date)

Signature of the declarant [to be completed]

_____

existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject. 3. Where the controller intends to further process the personal data for a purpose other than that for which the personal data were collected, the controller shall provide the data subject prior to that further processing with information on that other purpose and with any relevant further information as referred to in paragraph 2. 4. Paragraphs 1, 2 and 3 shall not apply where and insofar as the data subject already has the information.

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Attachment 10.
Informed consent of conventioneers/persons attending events GDPR[26]

Data Processor Agreement (Pursuant to art.28)[27]

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[26] 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) (Text with EEA relevance), OJ L 119, 4.5.2016, p. 1–88.

[27] GDRP Art. 28, Processor 1. Where processing is to be carried out on behalf of a controller, the controller shall use only processors providing sufficient guarantees to implement appropriate technical and organisational measures in such a manner that processing will meet the requirements of this Regulation and ensure the protection of the rights of the data subject. 2. The processor shall not engage another processor without prior specific or general written authorisation of the controller. In the case of general written authorisation, the processor shall inform the controller of any intended changes concerning the addition or replacement of other processors, thereby giving the controller the opportunity to object to such changes. 3. Processing by a processor shall be governed by a contract or other legal act under Union or Member State law, that is binding on the processor with regard to the controller and that sets out the subject-matter and duration of the processing, the nature and purpose of the processing, the type of personal data and categories of data subjects and the obligations and rights of the controller. That contract or other legal act shall stipulate, in particular, that the processor: (a) processes the personal data only on documented instructions from the controller, including with regard to transfers of personal data to a third country or an international organisation, unless required to do so by Union or Member State law to which the processor is subject; in such a case, the processor shall inform the controller of that legal requirement before processing, unless that law prohibits such information on important grounds of public interest; (b) ensures that persons authorised to process the personal data have committed themselves to confidentiality or are under an appropriate statutory obligation of confidentiality; (c) takes all measures required pursuant to Article 32; (d) respects the conditions referred to in paragraphs 2 and 4 for engaging another processor; (e) taking into account the nature of the processing, assists the controller by appropriate technical and organisational measures, insofar as this is possible, for the fulfilment of the controller's obligation to respond to requests for exercising the data subject's rights laid down in Chapter III; (f) assists the controller in ensuring compliance with the obligations pursuant to Articles 32 to 36 taking into account the nature of processing and the information available to the processor; (g) at the choice of the controller, deletes or returns all the personal data to the controller after the end of the provision of services relating to processing, and deletes existing copies unless Union or Member State law requires storage of the personal data; (h) makes available to the controller all information necessary to demonstrate compliance with the obligations laid down in this Article and allow for and contribute to audits, including inspections, conducted by the controller or another auditor mandated by the controller. With regard to point (h) of the first subparagraph, the processor shall immediately inform the controller if, in its opinion, an instruction infringes this Regulation or other Union or Member State data protection provisions. 4. Where a processor engages another processor for carrying out specific processing activities on behalf of the controller, the same data protection obligations as set out in the contract or other legal act between the controller and the processor as referred to in paragraph 3 shall be imposed on that other processor by way of a contract or other legal act under Union or Member State law, in particular providing sufficient guarantees to implement appropriate technical and organisational measures in such a manner that the processing will meet the requirements of this Regulation. Where that other processor fails to fulfil its data protection obligations, the initial processor shall remain fully liable to the controller for the performance of that other processor's obligations. 5. Adherence of a processor to an approved code of conduct as referred to in Article 40 or an approved certification mechanism as referred to in Article 42 may be used as an element by which to demonstrate sufficient guarantees as referred to in paragraphs 1 and 4 of this Article. 6. Without prejudice to an individual contract between the controller and the processor, the contract or the other legal act referred to in paragraphs 3 and 4 of this Article may be based, in whole or in part, on standard contractual clauses referred to in paragraphs 7 and 8 of this Article, including when they are part of a certification granted to the controller or processor pursuant to Articles 42 and 43. 7. The Commission may lay down standard contractual clauses for the matters referred to in paragraph 3 and 4 of this Article and in accordance with the examination procedure referred to

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THIS DATA PROCESSOR AGREEMENT

(herein defined as the 'Agreement') is dated and entered into between:

[PARTY 1 [to be completed]] (hereinafter referred to as the 'Data Controller'), having its registered office at [address]

-and-

[PARTY 2 [to be completed]] (hereinafter referred to as the 'Data Processor'), having its registered office at [[to be completed] address]

WHEREAS:

Under the General Data Protection Regulations (herein defined as the 'GDPR'), a written Agreement must be in place between the Data Controller and any organisation that processes personal data on its behalf, governing the processing of the data. This Agreement is intended to satisfy that obligation.

1. Terms

The parties agree that:

1.1 The Data Controller and the Data Processor acknowledge that for the purposes of the Applicable Data Protection Law (as amended), [PARTY 1[to be completed]] is the Data Controller and [PARTY 2[to be completed]] is the Data Processor in respect of any Personal Data.

1.2 The Data Processor shall process Personal Data only for the purposes of carrying out their obligations arising under the Agreement.

1.3 The Data Controller shall instruct the Data Processor to process the Personal Data in any manner that may reasonably be required in order for the Data Processor to carry out the processing in compliance with this Agreement and in compliance with Applicable Data Protection law.

1.4 The Data Controller shall refrain from providing instructions that are not in accordance with applicable laws, including Applicable Data Protection law. In the event that such instructions are given, the Data Processor is entitled to resist carrying out such instructions.

1.5 The parties agree that the Agreement may contain confidential business information, which they will not disclose to third parties, except as required by law or in response to a competent regulatory or government agency.

1.6 This Agreement shall continue for no less a term than the term of the Grant Agreement.

1.7 The Data Processor shall give prompt notice to the Data Controller of any development that may have a material impact on the Data Processor's ability to effectively perform activities under this Agreement and in compliance with applicable laws and regulatory requirements

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in Article 93(2). 8. A supervisory authority may adopt standard contractual clauses for the matters referred to in paragraph 3 and 4 of this Article and in accordance with the consistency mechanism referred to in Article 63. 9. The contract or the other legal act referred to in paragraphs 3 and 4 shall be in writing, including in electronic form. 10. Without prejudice to Articles 82, 83 and 84, if a processor infringes this Regulation by determining the purposes and means of processing, the processor shall be considered to be a controller in respect of that processing.

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2. Obligations of the data controller

The Data Controller warrants and undertakes that:

2.1 The Personal Data has been collected, processed and transferred in accordance with the GDPR and all Applicable Data Protection law.

2.2 It has used reasonable efforts to determine that the Data Processor is able to satisfy its legal obligations under this Agreement.

2.3 It will respond to enquiries from Data Subjects and from the Supervisory Authority concerning processing of the Personal Data by the Data Controller, unless the parties have agreed that the Data Processor will so respond; in which case, the Data Controller will still respond to the extent reasonably possible and with the information reasonably available to it, if the Data Processor is unwilling or unable to respond. Responses will be made within a reasonable time and in accordance with the Applicable Data Protection law.

2.4 It will make available, upon request, a copy of this Agreement to Data Subjects who are relevant to the processing and the subject matter of this Agreement, unless this Agreement contains confidential information; in which case, it may redact such information. The Data Controller shall also provide a copy of this Agreement to the Supervisory Authority where required.

3. Obligations of the data processor

The Data Processor warrants and undertakes that:

3.1 It will comply with all applicable law, including Applicable Data Protection law in its performance of this Agreement.

3.2 It will only process the Personal Data on the instructions of the Data Controller.

3.3 It will not transfer Personal Data to a Third Country without the prior written approval of the Data Controller and only then once the transfer to the Third Country has been legitimised and the Data Controller and the Data Processor are satisfied that an adequate Data Protection regime exists in the Third Country.

3.4 It will not appoint sub-processors to process the Personal Data on its behalf without the prior written approval of the Data Controller.

3.5 Once approved by the Data Controllers, sub-processors will only process the Personal Data on the instructions of the Data Processor, and the Data Processor will put in place a legal agreement in writing to govern the sub-processing.

3.6 It will have in place appropriate technical and organisational measures, and all measures pursuant to Article 32 of the GDPR, to protect the confidentiality of the Personal Data and to protect the Personal Data against accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure or access, and which provide a level of security appropriate to the risk represented by the processing and the nature of the data to be protected.

3.7 It will obtain guarantees from any sub-processors processing the Personal Data, that they will have in place appropriate technical and organisational measures, and all measures pursuant to Article 32 of the GDPR, to protect the confidentiality of the Personal Data and to protect the Personal Data against accidental or unlawful destruction or accidental loss, alteration,

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unauthorised disclosure or access, and which provide a level of security appropriate to the risk represented by the processing and the nature of the data to be protected.

3.8 It will have in place procedures so that any individual party it authorises to have access to the Personal Data, including employees of the Data Processor, will respect and maintain the confidentiality and security of the Personal Data. Any person acting under the authority of the Data Processor shall be obligated to process the Personal Data only on instructions from the Data Processor. This provision does not apply to persons authorised or required by law or regulation to have access to the Personal Data.

3.9 It will not disclose any Personal Data to a third party in any circumstances other than at the specific written request of the Data Controller, unless such disclosure is necessary in order to fulfil the obligations of the Services Agreement, or as required by applicable law.

3.10 It will notify the Data Controller of any request for information by the Supervisory Authority and will not disclose any Personal Data without the prior consent of the Data Controller.

3.11 It will notify the Data Controller of any complaint, notice or communication received, which relates directly or indirectly to the processing of the Personal Data or other connected activities, or which relates directly or indirectly to the compliance of the Data Processor or the Data Controller with relevant applicable law, including Applicable Data Protection law.

3.12 It will give the Data Controller prompt notice (24 hours) of a Personal Data breach or a potential data breach, once becoming aware of such, and the Data Processor will cooperate with the Data Controller in implementing any appropriate action concerning the breach or the potential breach as the case may be, including corrective actions.

3.13 It will delete from its systems all soft copies of any Personal Data and return all soft and hard copy documentation on the completion of the Agreement or on request from the Data Controller and will do so in a timely manner, giving a written confirmation of such. The only exception to this Clause shall be where the Data Processor must have a legitimate reason, as confirmed by the Data Controller, to continue to process particular data or where it is legally required to maintain data records.

3.14 Without prejudice to other legal provisions concerning the Data Subject's right to compensation and the liability of the parties generally, as well as legal provisions concerning fines and penalties, the Data Processor will carry full liability in the instance where it or its sub-processor is found to have infringed applicable law, including Applicable Data Protection law through his or her processing of the Personal Data.

3.15 It has no reason to believe, at the time of entering into this Agreement, of the existence of any reason that would have a substantial adverse effect on the guarantees provided for under this Agreement, and it will inform the Data Controller if it becomes aware of any such reason.

3.16 It will process the Personal Data for purposes described in Grant Agreement and has the legal authority to give the warranties and fulfil the undertakings set out in this Agreement.

3.17 It will identify to the Data Controller a contact person within its organisation authorisation to respond to enquiries concerning processing of the Personal Data and will cooperate in good faith with the Data Controller and the Data Subject concerning all such enquiries within a reasonable time.

3.18 It will do all things necessary to comply with the Applicable Data Protection law and will be capable of demonstrating its compliance with the obligations of Applicable Data Protection law.

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4. Right of audit

4.1 Upon reasonable request of the Data Controller, the Data Processor will submit it, and/or as appropriate its sub-processors will submit, data processing facilities, data files and documentation used for processing, reviewing, auditing or certifying by the Data Controller (or any independent or impartial inspection agents or auditors, selected by the Data Controller and not reasonably objected to by the Data Processor) to ascertain compliance with the warranties and undertakings in this Agreement, with reasonable notice and during regular business hours. The request will be subject to any necessary consent or approval from a regulatory or supervisory authority within the country of the Data Controller.

5. Data subjects' rights

The Data Processor will assist the Data Controller, whenever reasonably required, in so far as possible, to fulfil the Data Controller's obligation to respond to requests for exercising the Data Subject's rights as provided under Applicable Data Protection law, and the Data Processor will have the appropriate organisational and technical measures in place to deal with Data Subject requests.

6. Liability and indemnity

6.1 The Data Processor will not be liable for any claims brought by a Data Subject arising from any action by the Data Processor to the extent that such action resulted directly from the Data Controller's instructions.

6.2 Except as provided for in Clause 6.1, the Data Processor shall indemnify the Data Controller for any monetary fine or penalty imposed on the Data Controller by the Supervisory Control that results from the Data Processor's breach of its obligations under this Agreement.

6.3 In the event that any claim is brought against the Data Controller by a Data Subject arising from any action by the Data Processor, to the extent that such action did not result directly from the Data Controller's instructions, the Data Processor shall indemnify and defend at its own expense the Data Controller against all costs, claims, damages or expenses incurred by the Data Controller or for which the Data Controller may become liable due to any failure by the Data Processor or its directors, officers, employees, agents or contractors to comply with any of its obligations under this Agreement.

6.4 In the event that any claim is brought against the Data Processor by a Data Subject arising from any action or omission by the Data Processor to the extent that such action or omission resulted directly from the Data Controller's instructions, the Data Controller shall indemnify and defend at its own expense the Data Processor against all costs, claims, damages or expenses incurred by the Data Processor for which the Data Processor may become liable due to any failure by the Data Controller or its directors, officers, employees, agents or contractors to comply with any of its obligations under this Agreement.

6.5 Either party will provide the other party with evidence of financial resources to confirm it has sufficient resources to fulfil its responsibilities under Clauses 6.3 and 6.4 as appropriate (which may include proof of insurance cover).

7. Law applicable to this agreement

This Agreement shall in all respects be governed by and interpreted in accordance with the Grant agreement.

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8. Resolution of disputes with data subjects

8.1 In the event of a dispute or claim brought by a Data Subject concerning the processing of the Personal Data against either or both of the parties, the parties will inform each other about any such disputes or claims and will cooperate with a view to settling them amicably in a timely fashion.

9. Termination

9.1 In the event that either the Data Processor or the Data Controller is in breach of its obligations under this Agreement, then either the Data Processor or the Data Controller may temporarily suspend the transfer of Personal Data to the Data Processor until the breach is repaired or the Agreement is terminated.

9.2 In the event that the Data Processor or Data Controller are in substantial or persistent breach of any warranties or undertakings given by it under this Agreement;

9.3 The parties agree that the termination of this Agreement at any time, in these circumstances does not exempt them from the obligations and/or conditions under this Agreement as regards the processing of the Personal Data transferred.

[to be completed] (Place), on [to be completed] (Date)

Data Controller [to be completed]

_____

Data Processor [to be completed]

_____

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