European Research Council
Executive Agency

Established by the European Commission

RECORD OF PERSONAL DATA PROCESSING

*Art. 31 of the REGULATION (EU) 2018/1725 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (*henceforth the "Data protection regulation"*)*

Record nº DPO 08 - 2019

In accordance with Article 31 of the Data protection regulation, individuals whose personal data are processed by the Executive Agency in any context whatsoever are to be protected with regard to the processing of personal data and the Executive Agency has to keep records of their processing operations.

This record covers two aspects:
1. Mandatory records under Art 31 of the data protection regulation (recommendation: make the header and part 1 publicly available)
2. Compliance check and risk screening (initial; part 2 is internal only to the Agency, not published)

The ground for the record is (tick the relevant one):

☐ *Regularization of a data processing operation already carried out*
☐ *Record of a new data processing operation prior to its implementation*
☒ *Change of a data processing operation.*
☐ *Migration to record*

Audits and ex-post controls in FP7		
1	**Last update of this record if applicable**	Last notification : DPO 11-2012 Ares(2014)3557314 - 27/10/2014
2	**Short description of the processing**	In the scope of ex-post controls of cost claimed by beneficiaries of FP7 ERC grants, personal data to be requested to beneficiaries are listed in an annex sent with the letter of announcement when an audit is planned. These data have to be sent either to the Agency itself in case of own audits, or to the contracted external audit firm In case of outsourced audits.
Part 1 - Article 31 Record		
3	**Function and contact details of the controller**	Function: **Head of Unit C4** Unit : **C4 Audit and ex-post controls**

		ERC-EXTERNAL-AUDIT@ec.europa.eu
4	**Contact details of the Data Protection Officer (DPO)**	ERC-DATA-PROTECTION@ec.europa.eu.
5	**Name and contact details of joint controller (where applicable)**	N/A
6	**Name and contact details of processor (where applicable)**	Outsourced audits are carried out by external auditors on the basis of a framework contract signed with: **Lubbock Fine, Chartered Accountants** Paternoster House 65 St Paul's Churchyard London EC4M 8AB, United Kingdom fp7auditcoordination@lubbockfine.co.uk European Commission: Secretariat General: system owner of ARES; DIGIT: in charge of maintenance and hosting of ARES; Directorate General for Research and Innovation: System owner of AUDEX IT corporate tool.
7	**Purpose of the processing**	Checks and financial controls of grant agreements or service contracts aim at verifying beneficiary's or their contractor's or subcontractors' or third parties' compliance with all contractual provisions (including financial provisions) in view of checking that the action and the provisions of a grant agreement or contract are being properly implemented and in view of assessing the legality and regularity of the transaction underlying the implementation of the Community budget
8	**Description of the categories of data subjects**	Whose personal data are being processed? In case data categories differ between different categories of persons, please explain as well (e.g. suspects vs. witnesses in administrative inquiries) ☐ EA staff (Contractual and temporary staff in active position ☐ Visitors to the EA ☐ Contractors providing goods or services ☐ Applicants ☐ Relatives of the data subject ☐ Complainants, correspondents and enquirers ☐ Witnesses ☒ Beneficiaries ☐ External experts

		☒ Contractors ☐ Other, please specify _____
9	**Description of personal data categories** Indicate **all** the categories of personal data processed and specify which personal data are being processed for each category (between brackets under/next to each category):	*Categories of personal data:* All processed personal data in the following category are entirely related to payslips, employment contracts, travel & subsistence expenses, allowances and remunerations,.. that occurred in the timeframe of the audited periods of a grant. ☒ in the form of personal identification numbers ☐ concerning the physical characteristics of persons as well as the image, voice or fingerprints ☒ concerning the data subject's private sphere (maternity leave, child allowances, long-term leaves,..) ☒ concerning pay, allowances and bank accounts (employment contract, timesheets) ☒ concerning recruitment and contracts ☒ concerning the data subject's family (see private sphere) ☒ concerning the data subject's career (function, grade, activities and expertise, CV, publications, missions) ☒ concerning leave and absences (remuneration, timesheets) ☒ concerning missions and journeys (travel & expenses, supporting documents linked to travel costs) ☒ concerning social security and pensions (remuneration, payslips). ☒ concerning expenses and medical benefits (remuneration, payslips, accounts, cost accounting). ☒ concerning telephone numbers and communications ☒ concerning names and addresses (name, including email addresses) Other: • Information coming from local IT system used to declare costs as eligible • Minutes from mission and other similar data depending of the nature of the action.
10	**Retention time (time limit for keeping the**	Data are stored by ERCEA until 10 years after the final

	personal data)	payment on condition that no contentious occurred; in this case, data will be kept until the end the last possible legal procedure.
11	**Recipients of the data**	In-house or outsourced auditors, other ex-post controls services of the European Commission and outsourced auditors. Without prejudice to a possible transmission to the bodies in charge of a monitoring or inspection task in accordance with Community law (OLAF, Court of Auditor, Ombudsman, EDPS, IDOC, Internal Audit Service of the Commission.
12	**Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?**	*N/A*
13	**General description of the technical and organisational security measures**	- Physical security (access to computer systems, quality of the file supports, public access or restricted access to locations, storage, transport of equipment, etc.). The access to computer systems is password-protected and paper records are kept in locked cupboards that are accessible to nominated staff only. - Logical security (coding control, undue removal or transmission of data, passwords, encrypted directories, backup, audit trails for data processing and communication, etc.) Access to data is strictly restricted only to staff with business reasons to access them on a need to know basis. - The external audit firm is bound by the signed framework agreement and their statutory obligations embedded in European and national legislation, including security measures for transmission of the data
14	**Information to data subjects/Data Protection Notice**	The following link is available in the letter of announcement sent to the auditee: https://erc.europa.eu/sites/default/files/document/file/ERCEA_Specific_Privacy_Statement_Audit-Ex-post-Controls.pdf