



**CALL FOR EXPRESSION OF INTEREST
FOR EXPERT PANELS ON MEDICAL DEVICES AND IN VITRO DIAGNOSTIC
MEDICAL DEVICES
804/PP/GRO/CODEL/20**

**ANNEX V – Privacy statement
For processing of personal data related to EXPERT SELECTION PROCEDURES**

Processing operation: Processing of personal data related to the call for expression of interest for the expert panels on medical devices and *in vitro* diagnostic medical devices

Data Controller responsible: European Commission - Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs, Directorate D - Consumer, Environmental and Health Technologies, Unit D.4 - Health Technology and Cosmetics (hereinafter “DG GROW D.4”)

Record reference: [DPO-3084](#)

1. Context and Controller

As the Commission service collects and further processes personal data, it is subject to [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 and agencies and on the free movement of such data.

Personal data processing operations are under the responsibility of the Head of Unit, acting as Controller, of the Unit publishing the particular Call for expression of interest for expert panels for medical devices and *in vitro* diagnostic medical devices.

2. What personal information do we collect, for what purpose, under which legal bases and through which technical means?

Types of personal data

Personal data collected and further processed concern the expert applicant as a natural person. Information can relate to all or some of the following data:

- Name (first name, family name, previous family name);
- Place and date of birth;
- Gender, nationality, title, function;
- Contact details (e-mail address, business telephone number, mobile telephone number, fax number, postal address, company and department, country of residence, internet address);
- Bank account reference (IBAN and BIC codes), VAT number, national insurance number, passport number, ID number will also be required from the selected; candidates;
- Other personal data contained in the application forms or CVs (expertise, technical skills and languages, professional experience including details on current and past employment).

Purpose

Upon reception of your expression of interest by the Commission services, your personal data is collected and further processed for the purpose of the management and administration of selection of experts by Commission services under the responsibility of the Controller, either for appointment as panel members or for inclusion on a central list of available experts, as per Article 106 (5) and (6) of Regulation (EU) 2017/745.

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

Legal bases

The establishment of expert panels and the central list of available experts is stipulated by Regulation (EU) 2017/745 on medical devices (OJ L 117 5.5.2017 p.1-175), hereinafter the "Medical Device Regulation". These expert panels are also referred to by Regulation (EU) 2017/746 on *in vitro* diagnostic medical devices (OJ L 117 5.5.2017 p.176-332).

The legal base for the processing operations on personal data is Council Regulation (EC, Euratom) N° 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union (hereinafter the "Financial Regulation") (OJ L193 of 30/07/2018), in particular Articles 237-238 for selection of experts.

Technical means

Your personal data is provided by submission of your expression of interest. The information is collected and stored in an isolated secure system until the selection procedure is closed. Upon that closure, the information is processed by Commission personnel and transferred to Commission systems (as described in point 4.), under the responsibility of the Controller mentioned in point 1.

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

For the purpose detailed above, access to your personal data is given to the following persons, without prejudice to a possible transmission to the bodies in charge of a monitoring or inspection task in accordance with Community law:

- Commission staff responsible for carrying out this processing operation and to other authorised Commission staff according to the “need to know” principle. Such staff abide by statutory, and when required, additional confidentiality agreements;
- Members of the Medical Device Coordination Group (‘MDCG’), with the exception of Turkey, for the purpose of consulting the MDCG on the appointment of experts. Such members abide by rules on confidentiality of information and data, in accordance with Regulation (EU) 2017/745 and existing national provisions and practices in the Member States;
- Members of the public: In case you are selected, your personal data will be made public, in accordance with the Commission's obligation to publish information on the outcome of the selection procedures and on the beneficiaries of funds deriving from the budget of the European Community (Articles 38 and 163 of the Financial Regulation, respectively), as well as legal obligations in Article 106(3) and (6) of the Medical Device Regulation and

the implementing act making provisions for expert panels to be designated as per Article 106(1) of the Medical Device Regulation. The information will concern in particular your name and affiliation, CV and the declaration of interest form. It will be published on the website of the Commission dedicated to the operation of expert panels on medical devices and *in vitro* diagnostic devices.

4. How do we protect and safeguard your information?

The collected personal data and all related information are stored after closure of the call for expression of interest on the premises of the Commission and on the Commission servers of a computer data centre. The Commission premises and operations of all computer centres abide by the Commission's security decisions and provisions established by the Directorate of Security of the Commission. In particular, all processing operations are carried out pursuant to the Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission.

In order to protect your personal data, the Commission has put in place a number of technical and organisational measures. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

5. How can you verify, modify or delete your information?

In case you wish to verify which personal data is stored on your behalf by the responsible Controller, have it modified, corrected, restrict the processing, object to it or exercise the right to data portability, please make use of the contact information mentioned in the Call for expression of interest and below, by explicitly describing your request. Any correction of your personal data will be taken into consideration from the data protection point of view.

6. How long do we keep your personal data?

For selection of experts, your personal data are kept for the duration of your involvement in the expert panels or as long as you are included in the central list of available experts in the service in charge of the procedure, and in the archives for a period of 5 years following the end of your involvement in the expert panels or removal of your name from the central list.

In case of reimbursement of expenses and payment of allowances, your personal data will be used for communication purposes until the end of the financial commitment and discharge.

Your personal data are also kept until the end of a possible audit, if one started before the end of the above period.

After the period mentioned above has elapsed, files containing personal data of experts are sampled to be sent to the historical archives of the Commission for further conservation. The non-sampled files are destroyed.

7. Contact information

For any questions related to your rights, feel free to contact the Controller, by using the following contact information mentioned in the Call for expression of interest, and by explicitly specifying your request: GROW-D4@ec.europa.eu

Any further information relating to processing of your personal data is detailed in the register of the Data Protection Officer of the Commission under reference DPO-3084 at <http://ec.europa.eu/dpo-register/detail/DPO-3084-2>.

8. Recourse

In case of conflict, you can also exercise your rights by contacting the Commission's Data Protection Officer at data-protection-officer@ec.europa.eu.

If necessary, you can also lodge a complaint with the European Data Protection Supervisor at: https://edps.europa.eu/data-protection/our-role-supervisor/complaints_en.