

## INFORMATION CLAUSE

**Information on the processing of personal data in connection with the implementation of activities under the project financed by the European Funds for Social Development (FERS) programme - in the framework of the project "Micro-certifications - piloting a new solution to support lifelong learning".**

**IBE No of funding agreement: IBE/10/2023/P | Project no: FERS.05.01-IZ.00-0001/23**

1. Information clause of the Managing Authority - Minister competent for regional development
2. Information clause of the Beneficiary - Educational Research Institute - National Research Institute

### **1. Information clause of the Managing Authority - Minister competent for regional development**

In order to comply with the obligation imposed under Articles 13 and 14 of the GDPR<sup>1</sup>, in conjunction with Article 88 of the Act on the Principles of Implementation of Tasks Financed from European Funds in the Financial Perspective 2021-2027<sup>2</sup>, we inform you about the rules of processing your personal data:

- I. Controller:** A separate controller of your data is: Minister competent for regional development, with the seat at ul. Wspólna 2/4, 00-926 Warsaw.
- II. Purpose of data processing:** Personal data will be processed in connection with the implementation of the FERS, in particular for the purposes of monitoring, reporting, communication, publication, evaluation, financial management, verification and auditing, and for determining the eligibility of participants.

The provision of the data is voluntary, but required to fulfil the above-mentioned purpose. The refusal to provide such information means that no adequate action can be taken.

### **III. Basis for processing**

We will process your personal data in connection with the following circumstances:

1. We are obliged to do so **by law** (Article 6(1)(c), Article 9(2)(g) and Article 10<sup>3</sup> of the GDPR)<sup>4</sup>:
  - Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy,
  - Regulation (EU) 2021/1057 of the European Parliament and of the Council of 24 June 2021 establishing the European Social Fund Plus (ESF+) and repealing Regulation (EU) No 1296/2013 OJ L 231, 30.06.2021, p. 21, as amended).
  - Act of 28 April 2022 on the rules for the implementation of tasks financed from the European funds in the financial perspective 2021-2027, in particular Articles 87-93,
  - Act of 14 June 1960 - Code of Administrative Procedure,

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[1] 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 (OJ L 119 of 4 May 2016, pp.1-88).

2 Act of 28 April 2022 on the rules for the implementation of tasks financed from European funds in the financial perspective 2021-2027 (Journal of Laws 2022 item 1079), hereinafter referred to as the "Implementing Act".

3 Applies only to projects activating people serving prison sentences.

4 One or more provisions of law should be indicated - it is possible to quote them to a limited extent for the purposes of the specific clause.

- Act of 27 August 2009 on public finance.

**IV. Method of data acquisition:** We acquire the data either directly from the data subjects or from institutions and entities involved in the implementation of the Programme, including in particular applicants, beneficiaries, partners.

**V. Access to personal data:** Employees and associates of the controller have an access to your personal data. Moreover, your personal data may be entrusted to or shared with:

1. entities to which we have outsourced tasks under the FERS,
2. bodies of the European Commission, the minister competent for public finance, the president of the social security institution,
3. entities performing services for us in connection with the operation and development of ICT systems, as well as the provision of connectivity, e.g. IT solution providers and telecommunications operators.

#### **VI. Data retention period**

Personal data shall be kept for a period necessary to fulfil the purposes set out in section II.

#### **VII. Data subject rights**

You have the following rights:

1. the right to access and receive a copy of your data (Article 15 of the GDPR),
2. the right to rectify your data (Article 16 of the GDPR),
3. the right to erasure of your data (Article 17 of the GDPR) - if the circumstances referred to in Article 17(3) of the GDPR,
4. the right to request the controller to restrict the processing of your data (Article 18 of the GDPR),
5. the right to portability of your data (Article 20 of the GDPR) - if the processing is carried out on the basis of a contract: for the purpose of its conclusion or performance (pursuant to Article 6(1)(b) of the GDPR), and by automated means<sup>5</sup>,
6. the right to lodge a complaint with the supervision authority, the President of the Office for Personal Data Protection (Article 77 of the GDPR) - in case a person considers that the processing of his/her personal data violates the provisions of the GDPR or other national regulations governing personal data protection applicable in Poland.

#### **VIII. Automated decision-making**

The personal data will not be subject to automated decision-making, including profiling.

#### **IX. Transfer of data to a third country**

Your personal data will not be transferred to a third country or an international organisation.

#### **X. Contact with the data controller and data protection officer**

If you have any questions concerning the processing of personal data by the minister competent for regional development,

please contact the Data Protection Officer (DPO) as follows:

- by traditional mail (ul. Wspólna 2/4, 00-926 Warsaw),
- electronically (e-mail address: [IOD@mfipr.gov.pl](mailto:IOD@mfipr.gov.pl)).

## **2. INFORMATION CLAUSE for participants in meetings held under the project**

**"Micro-certifications - piloting a new solution to support lifelong learning".**

**The controller of personal data** processed for the purposes related to the implementation of the project is the Educational Research Institute - National Research Institute with its registered office in Warsaw at ul. Górczewska 8, tel: (22) 24 17 101, e-mail: [ibe@ibe.edu.pl](mailto:ibe@ibe.edu.pl)

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<sup>5</sup> For automating the processing of personal data, it is sufficient that the data is stored on a computer disk.

**The Controller appointed the Data Protection Officer** who can be contacted via email address: [iod@ibe.edu.pl](mailto:iod@ibe.edu.pl) or by forwarding correspondence to the above mentioned address of the Controller's registered office.

We process your personal data for the following purposes:

1. organisation of working meetings/seminars/workshops, including for the recruitment of participants, sending of invitations, ongoing communication;
2. documenting activities, billing, monitoring indicator achievement, reporting, auditing and project controls.

The legal basis for the processing of data for the aforementioned purposes is the necessity of the processing for the performance of a task carried out in the public interest (Article 6(1)(e) of the GDPR) in connection with the implementation by IBE PIB of its statutory tasks and with the provisions of the Act of 28 April 2022 on the principles of the implementation of tasks financed from European funds in the financial perspective 2021-2027, in particular, Articles 87-93.

3. archiving of records - which is a legal obligation of the controller (Article 6(1)(c) of the GDPR) under Article 5(1)(2) of the Act of 14 July 1983 on the national archival resource and archives,
4. defence in the event of potential complaints or claims pursuant to Article 6(1)(f) of the GDPR - legitimate interest involving defending their rights,
5. if you have given your consent to receive information about other events organised by the IBE PIB - we will process your data in order to send the notifications on the basis of Article 6(1)(a) of the GDPR).

Recipients of personal data

We will transfer your personal data to providers of IT system services, including electronic mail, to entities supporting us in the organisation of meetings (KDK Sp. z o.o. company), including providers of online meeting tools.

Pursuant to the law, we may also transfer your data to state authorities

In connection with the implementation of the project as part of the European Funds for Social Development (**FERS**) programme, your personal data will be made available to **the Managing Authority (MA) - the Minister competent for regional development** with the seat at ul. Wspólna 2/4, 00-926 Warsaw. The full content of the MA's information obligation is included in the **FERS Information Clause** available at [www.ibe.edu.pl/rodo](http://www.ibe.edu.pl/rodo).

#### **Scope of the data processed and source of data acquisition**

In order to send out invitations/information about the event, we process identification and contact data (name, surname, email address, telephone), insofar as these data have not been provided to us directly, we may have obtained them from your employer, colleagues or partners of IBE PIB with whom you cooperate or whom you represent, as well as from public sources, including websites and social networks.

#### **Data retention period**

Data will be processed for the term of duration of the project, i.e. until 30.0.2026. The documentation related to the implementation of the project will be kept no shorter than five years, counting from the end of the year in which the final application for payment under the project was approved, but no longer than until the documentation is archived in accordance with the IBE PIB's Clerical Instruction and JRWA (10 years).

Data processed on the basis of the consent granted (paragraph 5) will be processed until the consent is withdrawn.

#### **You have the following rights:**

- a) The right to access your data and to receive a copy of your data, the right to rectify (amend) your personal data, the right to erasure of your personal data "the right to be forgotten", the right to restrict the processing of your personal data - on the terms and in the cases provided for in the provisions of the GDPR;
- b) as regards data processed on the basis of your consent, you are informed of your right to withdraw it at any time, which shall not affect the lawfulness of the processing carried out before the withdrawal;
- c) in the case of processing of personal data for the purposes of legitimate interests of the Controller, we inform of the right to object to the processing on grounds relating to the particular situation of the data subject;
- d) if you consider that your data is processed in breach of the law, you have the right to lodge a complaint with the President of UODO (address: ul. Stawki 2, 00-193 Warsaw).

#### **Information about the requirement to provide data**

The provision of your personal data is voluntary but necessary in order to participate in the project under implementation. **Transfers of personal data outside the European Economic Area (EEA)**

Personal data will not be transferred outside the EEA.