Policy on the Processing of Personal Data

This policy is effective from November 18th, 2020.

1 INTRODUCTION

This policy ensures that data collected as a result of the use of the Infrastructure is processed fairly and lawfully by Infrastructure participants. Some of this data, for example that relating to user registration, monitoring and accounting contains "personal data" as defined by the European Union (EU) [GDPR]. The collection and processing of personal data is subject to restrictions aimed at protecting the privacy of individuals.

2 DEFINITIONS

- *Personal Data*: any information relating to an identified or identifiable natural person [GDPR].
- *Processing (Processed)*: any operation or set of operations, including collection and storage, which is performed upon Personal Data [GDPR].
- *Controller*: 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[1] [GDPR] on behalf of an Infrastructure Participant.
- *Processor*: a natural or legal person, public authority, agency or other body which Processes Personal Data on behalf of the Controller [GDPR].

3 SCOPE

This policy covers Personal Data that is Processed as a prerequisite for or as a result of a User's use of Infrastructure services. Examples of such Personal Data include registration information, credential identifiers and usage, accounting, security and monitoring records.

This policy does not cover Personal Data relating to third parties included in datasets provided by the User or the research community to which they belong as part of their research activity. Examples of such data are medical datasets which may contain Personal Data.[1]

4 POLICY

By their activity in the Infrastructure, Participants:

- Declare that they have read, understood and will abide by the Principles of Personal Data Processing as set out below.

1 The principles of data protection should not apply to anonymous information, namely information which does not relate to an identified or identifiable natural person or to personal data rendered anonymous in such a manner that the data subject is not or no longer identifiable. This policy does not therefore concern the processing of such anonymous information, including for statistical or research purposes.

- Declare their acknowledgment that failure to abide by these Principles may result in exclusion from the Infrastructure, and that if such failure is thought to be the result of an unlawful act or results in unlawful information disclosure, they may be reported to the relevant legal authorities.

5 PRINCIPLES OF PERSONAL DATA PROCESSING

1. The User whose Personal Data is being Processed shall be treated fairly and in an open and transparent manner.
2. Personal Data of Users (hereinafter "Personal Data") shall be Processed only for those administrative, operational, accounting, monitoring and security purposes that are necessary for the safe and reliable operation of Infrastructure services, without prejudice to the Users' rights under the relevant laws.
3. Processing of Personal Data shall be adequate, relevant and not excessive in relation to the purposes for which they are Processed.
4. Personal Data shall be accurate and, where necessary, kept up to date. Where Personal Data are found to be inaccurate or incomplete, having regard to the purposes for which they are Processed, they shall be rectified or purged.
5. Personal Data Processed for the purposes listed under paragraph 2 above shall not be kept for longer than the period defined in a relevant Infrastructure service policy governing the type of Personal Data record being Processed (e.g. registration, monitoring or accounting).
6. Appropriate technical and organisational measures shall be taken against unauthorised disclosure or Processing of Personal Data and against accidental loss or destruction of, or damage to, Personal Data. As a minimum, Infrastructure Participants shall:
    a. Restrict access to stored Personal Data under their control to appropriate authorised individuals;
    b. Transmit Personal Data by network or other means in a manner to prevent disclosure to unauthorised individuals;
    c. Not disclose Personal Data unless in accordance with these Principles of Personal Data Processing;
    d. Appoint at least one Data Protection Officer (DPO) to which Users or other Infrastructure Participants can report suspected breaches of this policy;
    e. Respond to suspected breaches of this Policy promptly and effectively and take the appropriate action where a breach is found to have occurred;
    f. Define periodic audit intervals and procedures to ensure compliance to this Policy and make the results of such audits available to other Infrastructure Participants upon their request.
7. Each Infrastructure service interface provided for the User must provide, in a visible and accessible way, a Privacy Policy containing the following elements:
    a. Name and contact details of the Controller responsible for Processing Personal Data;
    b. Description of Personal Data being Processed;
    c. Purpose or purposes of Processing of Personal Data as well as the legal basis for the processing;
    d. Third party recipients of the personal data, if any; as well as the existence or absence of adequacy appropriate or suitable safeguards in case the recipient is not bound to GDPR.
    e. Retention period of the Personal Data Processed;
    f. Explanation of the rights of the Users according to GDPR;
    g. The contact details of the Controller's DPO to which the User should direct requests in relation to their rights above;
    h. Reference to this Policy.
8. Personal Data may only be transferred to or otherwise shared with individuals or organisations where the recipient:

a. has agreed to be bound by this Policy and the set of common Infrastructure policies, or
b. is part of a recognised Computer Incident Response Team framework and as part of an incident investigation to prevent active or suspected misuse of Infrastructure services, or
c. presents an appropriately enforced legal request.