

# Information of the EU Managing Authority ERDF/ESF/JTF in the Ministry of Finance of the State of Saxony-Anhalt on the processing of personal data in accordance with the General Data Protection Regulation (GDPR) for participants

Version 1.1

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You have been given this information sheet because personal data must be collected and processed by all participants of an ESF+ or JTF-funded project using the questionnaire that has been issued. When processing your data, we observe the strictest standards of data protection and security. This information sheet provides you with all relevant information (reason, legal situation, competent authorities).

Please read the information sheet carefully and keep it for your records.

## Background of data collection

As part of its remit, the EU Managing Authority ERDF/ESF/JTF is obliged to collect and process selected personal data in the EU funding period 2021–2027. Personal data is, for example, information about you but also about matters related to your person. Regulation (EU) 2021/1060<sup>1</sup> lays down a corresponding obligation to report this data to the European Commission. If this obligation is not fulfilled, the European Commission may impose financial sanctions.

Since 25 May 2018, the provisions of Regulation ((EU) 2016/679<sup>2</sup> (General Data Protection Regulation – GDPR) are applicable in all EU Member States. The following information is designed to inform you about the processing of your personal data and your rights, in accordance with Articles 13 and 14 of the GDPR.

## Purpose and legal basis

The data collected will be used to report to the European Commission on the resources deployed and progress towards implementation (performance review). At the same time, the data collection serves to sustainably ensure and continuously improve the quality and effectiveness of the ESF+ and ERDF/JTF programme and their implementation. The evaluation of the data collected can provide insights into the effectiveness of the funding programmes and thus enable their further development.

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<sup>1</sup> Regulation (EU) 2021/1060 of the European Parliament and of the Council 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 on budgetary rules for those Funds and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Assistance in Border Management and Visa Policy

<sup>2</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council 27 April 2016 on the protection of natural persons with regard to the processing of personal data, on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation)

Your data will be processed on the basis of Section 4 Sentence 1 No. 2 of the Act on the Completion of Regulation (EU) 2016/679 and adaptation of the General Data Protection Act of Saxony-Anhalt (General Data Protection Regulation Completion Act Saxony-Anhalt – DSAG LSA) in conjunction with Article 72 (1) (e) of Regulation (EU) 2021/1060 including Annexe XVII and Article 17 of Regulation (EU) 2021/1057<sup>3</sup> including Annexe I. The processing of data records of JTF-funded projects is based on Section 4 Sentence 1 No. 2 of the General Data Protection Regulation Completion Act Saxony-Anhalt – DSAG LSA in conjunction with Article 72(1)(e) Regulation (EU) 2021/1060 including Annexe XVII and Article 12 Regulation (EU) 2021/1056<sup>4</sup> including Annexe III.

Personal data will only be collected and processed to the extent necessary for the implementation of the ESF+ and JTF programmes, the evaluative reporting and the review of the results of the funding.

### **What personal data is processed and where does it come from?**

In order to provide targeted support for the implementation of ESF+ and JTF-funded projects, certain personal data, sometimes sensitive, must be collected with your participation in accordance with Annexe I Regulation (EU) 2021/1057 and Annexe III Regulation (EU) 2021/1056. In addition to your name, contact details and date of birth, you will also be asked to provide information on your gender, level of education and employment status (mandatory personal data) as well as information on your nationality, belonging to a minority group or any disabilities you may have (voluntary personal data).

In order to participate in ESF+ and JTF-funded projects, the mandatory personal data must be provided. A corresponding mark shows at the respective points in the questionnaire, whether or not mandatory or voluntary information is required.

### **Who is responsible for data processing?**

The department responsible for processing personal data is the EU Managing Authority ERDF/ESF/JTF in the Ministry of Finance of Saxony-Anhalt. If you have any comments or questions, please contact:

Ministry of Finance of the State of Saxony-Anhalt  
Department EU Managing Authority ERDF/ESF/JTF  
Editharing 40  
39108 Magdeburg

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<sup>3</sup> Regulation (EU) 2021/1057 of the European Parliament and of the Council of 24 June 2021 on the European Social Fund Plus (ESF+) and repealing Regulation (EU) No 1296/2013

<sup>4</sup> Regulation (EU) 2021/1056 of the European Parliament and of the Council 24 June 2021 establishing the Just Transition Fund

Email: [ESIF.MF@sachsen-anhalt.de](mailto:ESIF.MF@sachsen-anhalt.de)

### **Who collects the data and what happens to the data?**

The collection of the aforementioned data is carried out in accordance with the requirements of Article 6 (1) (f) GDPR by means of a questionnaire given to the project promoter. In his function, he is obliged to comply with the data protection regulations.

The personal data collected with the attached questionnaire will be digitised by the promoter and forwarded via a secure communication channel (efDialog Saxony-Anhalt) to the Saxony-Anhalt State Administration Office or the Saxony-Anhalt Investment Bank. This person acts on behalf of the EU Managing Authority ERDF/ESF/JTF within the meaning of Article 28 GDPR and is also obliged to comply with the data protection regulations. The State Administration Office or the Saxony-Anhalt Investment Bank checks the plausibility of the transmitted data records and then enters them into a central database (efReporter4). The responsibilities of the State Administration Office or the Saxony-Anhalt Investment Bank also include the independent handling of the funding procedures vis-à-vis the project promoter.

The efReporter4 database records all project data on the implementation of the ESF+ and ERDF/JTF in Saxony-Anhalt and thus provides the basis for reporting and billing to the European Commission. When the personal data is entered into the efReporter4 database, the data is stored in encrypted form (pseudonymised). An unencrypted inspection of the data thus requires authorisation by the EU Managing Authority ERDF/ESF/JTF. The decryption of the data itself is carried out by the technical service provider control centre efReporter only on the instructions of the EU Managing Authority ERDF/ESF/JTF.

As part of the scientific monitoring and evaluation of the programmes required by the European Commission, oral and written surveys may be carried out at a later date on your professional situation after participating in the project and on the evaluation of the project's success. For this purpose, your decoded data may be forwarded to the evaluator. The data is provided by the technical service provider control centre efReporter on behalf of the EU Managing Authority ERDF/ESF/JTF.

### **To whom is the data disclosed and who works with this data?**

Within the remit, those offices that contribute to the fulfilment of the aforementioned purposes are given access to your data. The State Administration Office or the Saxony-Anhalt Investment Bank is the competent granting authority for your funding procedure. For technical services in connection with the efReporter4 database, the control centre efReporter, based at the Saxony-Anhalt Investment Bank, has been commissioned.

The monitoring and evaluation of the funding programmes is carried out for the EU Managing Authority ERDF/ESF/JTF by the evaluator [input after call for proposals].

For auditing purposes, the EU Audit Authority of the State of Saxony-Anhalt is also authorised to inspect the ERDF/JTF and the ESF+.

The aforementioned bodies may also commission third parties to perform their remit.

### **How is the personal data stored and for how long?**

The questionnaires used to collect data from the project promoter are to be deleted immediately when no longer required for collection and processing purposes. This is carried out on the instructions of the State Administration Office or the Saxony-Anhalt Investment Bank and must be implemented at the latest following completion of the review of the proof of use.

Personal data is stored in the central database efREporter4 and in the electronic communication system efDialog Saxony-Anhalt.

The data storage in efREporter4 is also pseudonymised. Pseudonymised means that instead of your name, address and other contact details from the questionnaire, a neutral or encrypted identifier is used (for example, a number). Once the information is stored in the central database, this personal information may only be decrypted after appropriate authorisation.

The personal data from the questionnaires will be destroyed in accordance with Article 82 of Regulation (EU) 2021/1060 immediately after completion of the retention period provided for in Regulation (EU) 2021/1060 – deleted in the IT system, otherwise physically destroyed. This will be the case until 31/12/2035 at the latest.

### **Your rights as a data subject vis-à-vis the EU Managing Authority ERDF/ESF/JTF**

In order to protect your personal data, data protection law grants you certain rights that you can assert against the EU Managing Authority ERDF/ESF/JTF in the Ministry of Finance of the State of Saxony-Anhalt:

- Information on processing (Article 15 GDPR),
- Rectification and completion of data (Article 16 GDPR),
- Right to erasure (Article 17 GDPR),
- Right to restrict processing (Article 18 GDPR)
- Data portability (Article 20 GDPR).

For any questions regarding the processing of your personal data by the Ministry of Finance of the State of Saxony-Anhalt and to exercise your rights in this regard

pursuant to the GDPR, please contact the Data Protection Officer. This person can be contacted as follows:

Data Protection Officer of the  
Ministry of Finance of the State of Saxony-Anhalt  
Editharing 40  
39108 Magdeburg  
Tel.: +49 (0) 391 567-1166  
E-Mail: [datenschutz-mf@sachsen-anhalt.de](mailto:datenschutz-mf@sachsen-anhalt.de)

The Data Protection Officer is responsible solely for questions relating to data protection law. He is not authorised to provide you with information on the content of the processing of your request or to give you any other legal advice.

### **Right of appeal**

You may, of course, contact the EU Managing Authority ERDF/ESF/JTF at the Ministry of Finance of the State of Saxony-Anhalt at any time with concerns about your personal data that we process.

In accordance with Article 13 (2) (d) and Article 14 (2) (e) in conjunction with Article 77 of the GDPR, you are entitled to lodge a complaint with a supervisory authority within the meaning of the GDPR.

The competent supervisory authority for the Ministry of Finance of the State of Saxony-Anhalt is the:  
State Commissioner for Data Protection of Saxony-Anhalt  
Otto-von-Guericke-Straße 34a  
39104 Magdeburg  
Email: [Poststelle@lfd.sachsen-anhalt.de](mailto:Poststelle@lfd.sachsen-anhalt.de)

### **Linguistic equality**

The names of persons and functions in this information sheet shall apply equally to all genders.