

Part A. Privacy Notice
European XFEL Young Scientist Award
as of 18 November 2020

This privacy notice is intended to inform about the processing of personal data in connection with the European XFEL Young Scientist Award (“Young Scientist Award”) both for candidates who are nominated for the award (“**Nominee**”) and for the person who they have been nominated by (“**Nominator**”).

Please refer to European XFEL GmbH’s website [Data Privacy Policy](#) for information about the processing of personal data in connection with the use of the website.

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1. Who is the controller of your personal data?

The controller in the sense of the European data protection laws is European X-Ray Free-Electron Laser Facility GmbH, Holzkoppel 4, 22869 Schenefeld, Germany (“**European XFEL GmbH**”, we or us). For further contact details as well as the **contact details of our data protection officer** see section "[Contact Information](#)".

2. Purposes and legal bases of data processing

We process your personal data for the purposes and based on the legal bases listed in the table below. Where the processing is based on legitimate interests (of us or a third party) we have also included a description of the respective interests:

No.	Purpose for processing	Legal basis for processing	Description of legitimate interest for processing if applicable
1	To organise and give out the Young Scientist Award (including the prize connected to it) as described in the Young Scientist Award – Terms.	Performance of a contract or – as far as prospective Nominees have not confirmed their willingness to take part in the award process – Legitimate interest	We have a legitimate interest in recognizing outstanding contributions of young researchers in the early stages of their career to research at European XFEL GmbH.
2	To ensure that the nomination process is in line with the requirements that have been defined by European XFEL GmbH, in particular to safeguard that no self-nominations take place	Performance of a contract	N/A
3	To announce the winner of the Young Scientist Award (“ Winner ”; including his or her affiliation and research information) on European XFEL GmbH’s website	Performance of a contract	N/A
4	To create anonymous statistics about (proposed) interest in the Young Scientist Award	Legitimate interest	We have a legitimate interest in creating anonymous statistics about interest in participating in the Young Scientist Award.
5	To safeguard and defend our rights	Legitimate interest	We have a legitimate interest in exercising and defending our rights.

6	To comply with relevant legal obligations such as keeping accounting records	Compliance with legal obligations	N/A
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3. Sources of your personal data

We generally collect the information we process in connection with the Young Scientist Award directly from you.

However, if you are a Nominee, the personal data necessary to submit your nomination (i.e. name, title, email address, organization, motivation for the nomination, including qualifications, CV and recommendation letter(s)) is provided by your Nominator.

4. Recipients of your personal data

Your personal data may be transferred to the following categories of recipients:

a. Service providers (processors)

We reserve the right to appoint external service providers in connection with the Young Scientist Award. These service providers will only have access to data they need for the performance of their service. Service providers will be appointed as so-called data processors which are only allowed to process the personal data on our behalf and according to our documented instructions. We disclose your data to the following categories of processors:

- IT service provider (e.g. Deutsches Elektronen-Synchrotron DESY, for hosting service, computing infrastructure), Germany

b. Other recipients

We generally do not disclose your personal data processed in connection with the Young Scientist Award to third parties. Nominations will, however, be reviewed by the User Organization Executive Committee (UOEC; (https://www.xfel.eu/users/european_xfel_user_organization/index_eng.html), who will select the Winner and who thus requires the Nominees' information. Also, in order to facilitate the transfer of the prize money to the Winner, we provide the necessary payment information to our bank.

Furthermore, there may be exceptional cases in which this personal data can be provided to the following categories of third parties: Lawyers, tax advisors, consultants, external auditors.

Additionally, personal data might be transferred to third parties if we are obliged to transfer the data by statutory provisions or by an enforceable order of a court or an administrative authority. We may also release your data when we believe this is appropriate to comply with the law or one of our policies (e.g. our Scientific Data Policy), or to protect our or others' rights. Furthermore, we may transfer data which has been rendered anonymous to third parties for statistical purposes.

The parties mentioned above can be located in the European Economic Area (EEA) as well as in other countries. For transfers of personal data to countries outside the EEA see next section.

5. Transfers of personal data to countries outside the EU/EEA

a. Transfers to service providers (processors)

We might transfer personal data processed in connection with the Young Scientist Award to service providers located outside the European Union (EU) respectively outside the European Economic Area (EEA) in so-called third countries.

In such cases, we ensure prior to the transfer that

- the European Commission has decided that the third country ensures an adequate level of protection (Art. 45 GDPR, e.g. Switzerland); or
- that the transfer is subject to appropriate safeguards, for example by us entering into so-called standard data protection clauses of the European Union with the recipient of the data (Art. 46 GDPR).

b. Transfer to members of the UOEC

If members of the User Organization Executive Committee (UOEC) are located outside the European Union (EU) respectively outside the European Economic Area (EEA), we base the transfer on Art. 49 (1) b) GDPR, as the transfer is necessary for the performance of a contract.

c. Your rights in relation to transfers

You are entitled to receive an overview of third country recipients and a copy of appropriate or suitable safeguards in place. For your request please use the details provided in section "[Contact Information](#)".

6. Duration of storage

After the selection of the Winner, we will delete the personal data connected to nominations that are not successful with the exception of those data that we need to store further for the establishment, exercise or defense of legal claims.

The same applies to the data that relates to the Nominator of the Winner.

The personal data of the Winner will generally be deleted immediately after the prize has been presented to him or her, respectively after the talk at the European XFEL Users' Meeting is given, with the exception of those data that we need to store further for the compliance with statutory retention periods under tax law for 10 years and – in exceptional cases – for the establishment, exercise or defense of legal claims. In addition to the above, the Winner's personal data contained in press releases or activity reports and posts for social media will be stored until the respective media coverage ends.

The personal data of Nominees who are not willing to accept their nomination, are deleted immediately after they communicate this.

7. Your rights as data subject and how to exercise them

You have the following rights, provided that the respective legal requirements are fulfilled:

c. Right of access and rectification:

You have the right to obtain confirmation from us as to whether or not your personal data is being processed and a right to access your personal data that is being processed by us.

You also have the right to obtain without undue delay the rectification of any inaccurate personal data relating to you and to have any of your personal data that is incomplete completed.

d. Right to erasure ('right to be forgotten'):

You have the right to obtain the erasure of your personal data from us without undue delay and we have the obligation to erase your personal data without undue delay if one of the following grounds applies:

- your personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- the processing of your personal data is based solely on your consent and you have withdrawn your consent;
- you have objected to direct marketing;
- you have objected to the processing that is based on our legitimate interest on grounds that relate to your particular situation and there are no overriding legitimate grounds for the processing;
- your personal data have been unlawfully processed; or
- your personal data have to be erased for compliance with a legal obligation.

In case we have transferred your personal data to third parties, we will inform them about this erasure if required by law.

Please keep in mind that there are limitations to your right to erasure. We are for example not allowed to erase data that we are legally obliged to store. Also, your right to erasure does not apply if we need to store the data for the establishment, exercise or defense of legal claims.

e. Right to restriction of processing:

You have the right to restrict our processing of your personal data where

- you contest the accuracy of the personal data until we have taken sufficient steps to correct or verify its accuracy;
- the processing is unlawful but you do not want us to erase the data;
- we no longer need your personal data for the purposes of the processing, but you require them for the establishment, exercise or defence of legal claims; or
- you have objected to processing based on our legitimate interest (see below) pending verification as to whether we have compelling legitimate grounds to continue processing.

Where personal data is subjected to restriction in this way, we will only process it with your consent or to a very limited extent, e. g. for the establishment, exercise or defense of legal claims.

f. Right to object:

You have the right to object to the processing of your personal data that is based on our legitimate interest, on grounds relating to your particular situation. Please also refer to section "[Information on your rights to object](#)".

g. Right to data portability:

Where we are relying upon your consent or the fact that the processing is necessary for the performance of a contract to which you are party as the legal basis for processing, and that personal data is processed by automatic means, you have the right to receive all such personal data which you have provided to us in a structured, commonly used and machine readable format, and also to require us to transmit it to another controller where this is technically feasible.

h. Right to withdraw consent:

Where we have relied on your consent to process particular information and you have provided us with your consent to process data, you have the right to withdraw such consent at any time. The withdrawal of your consent does not affect the lawfulness of processing based on consent before its withdrawal.

8. Right to lodge a complaint with a supervisory authority

You may lodge a complaint with a supervisory authority. You may file your complaint at your local supervisory authority or at the data protection authority competent for us. This is:

Unabhaengiges Landeszentrum für Datenschutz Schleswig-Holstein (ULD)
Holstenstraße 98
24103 Kiel
Germany

Telephone: +49 (0) 431 988-1200
Fax: +49 (0) 431 988-1223
Email: mail@datenschutzzentrum.de

9. Contact information (including for data protection officer)

If you have comments or questions, any concerns or a complaint regarding the processing of your personal data, please feel free to contact us at:

European X-Ray Free-Electron Laser Facility GmbH

Holzoppel 4

22869 Schenefeld

Germany

[Email: useroffice@xfel.eu](mailto:useroffice@xfel.eu)

Telephone: +49 8998 6767 - 6937

You may also contact our **data protection officer** Carsten Porthun at the following email address: carsten.porthun@desy.de.

Part B. Information on your right to object

Right to object to processing based on legitimate interest

You may have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on the legal basis legitimate interest, unless we are able to (i) demonstrate compelling legitimate grounds for the processing which override your interests or (ii) need to process the data for the establishment, exercise or defense of legal claims.

Right to object to direct marketing

You may at all times object to the processing of your personal data for direct marketing purposes. Please take into account that, due to logistical reasons, there might be an overlap between your objection and the usage of your data within the scope of a campaign which is already running.

You may address your objections to:

European X-Ray Free-Electron Laser Facility GmbH

Holzoppel 4

22869 Schenefeld

Germany

[Email: useroffice@xfel.eu](mailto:useroffice@xfel.eu)

Telephone: +49 8998 6767 - 6937