Data Protection Notice for Participants in DFG Review Board Elections

We, the Deutsche Forschungsgemeinschaft (DFG, German Research Foundation), take the protection of your personal data and its confidential treatment extremely seriously. Therefore, we wish to inform you about the processing of your personal data in connection with the DFG review board elections and the rights to which you are entitled. The processing of your personal data takes place exclusively within the framework of the applicable statutory provisions of data protection laws, in particular the General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG).

I. Who is responsible for the data processing and who is the data protection officer?

1. The controller for the processing of your personal data is:
Deutsche Forschungsgemeinschaft e.V. (DFG)
Kennedyallee 40
53175 Bonn
Germany
Tel. +49 228 885-1
postmaster@dfg.de
www.dfg.de/en

2. You can contact our data protection officer as follows:
Attorney-at-law Dr. Karsten Kinast, LL.M.
KINAST Rechtsanwaltsgesellschaft mbH
Hohenzollernring 54
50672 Cologne
Germany
Tel. +49 221 222 1830
mail@kinast.eu
www.kinast.eu

Note on autonomous data processing by the voting centres
Please note that the following data protection information relates exclusively to data processing within the DFG’s area of responsibility. For the proper conduct of review board elections according to the Election Regulations, the members of the DFG are to establish voting centres that process participants’ personal data autonomously (§ 9 (1) Election Regulations for the Election of the Members of the Review Boards of the Deutsche Forschungsgemeinschaft (DFG, German Research Foundation)), with the exception of the scientific member associations (GDNÄ – Society of German Natural Scientists and Physicians, DVT – German Federation of Technical and Scientific Organisations, AiF – German Federation of Industrial Research Associations), as well as other research institutions on request and with the approval of the DFG. This concerns in particular the following processing activities:

- determining the number of researchers entitled to vote
- preparing a list with the names and statuses of the persons entitled to vote at the respective institution
- passing on the election documents to the researchers entitled to vote
- preparing an election protocol
If you have any questions about data processing by a voting centre, please get in touch directly with the centre. You will find the contact details of the voting centre responsible for you in the list of voting centres at https://www.dfg.de/dfg_profil/gremien/fachkollegien/fk_wahl2023/wahlstellen/index.html.

If the voting centre of the DFG Head Office is responsible for you as an individual voter, please contact the controller mentioned under I. 1. for questions regarding data protection.

II. What is the subject matter of data protection?
The subject matter of data protection is personal data. This is all information which relates to an identified or identifiable natural person (so-called data subject). This includes information such as name, postal address, e-mail address and telephone number.

III. What personal data relating to me will be processed?
In the course of preparing and conducting the DFG review board elections, we only process your personal data that is related to the election process and is necessary for the proper conduct of the election.

Information on data protection when using the online voting system
We use an online voting system provided by POLYAS GmbH to conduct the DFG review board elections. The applicable data protection notice is easily accessible in the online voting system after activation.

Otherwise, your data will be processed to the extent set out below:
For greater clarity, the information is provided in relation to your respective position as a participant in the review board election.

1. Voters, including so-called individual voters who have been granted the right to vote on an individual basis

Categories of data:
- Vote number
- Name and work contact details (address, e-mail address, telephone number)
- Details of academic degree
- Details of the academic institution at which you are conducting research
- Individual voters: Details of the personal requirements for the right to vote according to § 2 No. 2 Election Regulations for the Election of Members of DFG Review Boards

Purpose of processing and legal basis
If you participate in the DFG review board elections as a voter, we process your personal data for the purposes set out below:
- Participation in the election via the online voting system
- Monitoring of elections/election audits
- Preparation of the election protocol

We also process the data of individual voters for the following purposes:
- Assessment and award of the right to vote on an individual basis
- Sending of election documents
- Preparation of the electoral roll of individual voters
The processing of data for the purpose of advice and communication for given cause, the verification and award of the right to vote on an individual basis the sending of election documents and the compilation of the electoral roll of individual voters is based on point (f) of Article 6 Paragraph 1 GDPR (legitimate interests). Our legitimate interests consist in pursuing the above-mentioned purposes and also arise from the requirements for the proper and smooth conduct of review board elections in accordance with the DFG statutes and the Election Regulations for the Election of Members of the DFG Review Boards.

Data processing for the purpose of participation in the election via the online voting system, monitoring of the elections/election audits and preparation of the election protocol is carried out based on point (b) of Article 6 Paragraph 1 GDPR (contract/quasi-contractual relationship) in conjunction with point (h) of § 4 Section (1) and §15 of the DFG statutes and the Election Regulations for the Election of Members of the DFG Review Boards in the currently valid version. It serves to ensure the proper conduct of the review board election. If you exercise your right to vote, the processing of your data is necessary for the proper and smooth conduct of the review board election in accordance with the DFG statutes and the Election Regulations.

Duration of storage
We will erase the data once it is no longer necessary for the purposes being pursued by us and provided that no other legal requirements apply.

2. Persons proposed for candidacy and candidates

Categories of data:
- Name and work contact details (address, e-mail address, telephone number)
- Date of birth
- Details of academic degree
- Details of the research institution at which you are employed
- Details of the requirements for passive voter eligibility according to § 4 Election Regulations for the Election of Members of DFG Review Boards
- Details of committee memberships and offices held in the DFG

Purpose of processing and legal basis
Once you have been proposed for candidacy, we process your personal data for the purposes set out below:

- Organisation and conduct of the review board election
- Check to ensure fulfilment of the formal requirements for candidacy, examination of inclusion in the list of candidates according to the procedure provided for this in the Election Regulations
- Statistical purposes
- (In case of candidacy and, if applicable, election) publication of the details of the candidates in the list of candidates and the list of election results on the DFG website
- Notification of the election result

Data processing takes place in accordance with point (a) of Article 6 Paragraph 1 GDPR (consent and declaration of consent signed by you). This consent is required for candidacy by candidates (including persons proposed for candidacy). The declaration of consent to be signed by you for this purpose is to be submitted by the persons entitled to submit proposals along with their candidacy nominations. The decision as to whether a proposed individual then becomes a candidate is not linked to
this, but is based on the procedure provided for this purpose in § 7 of the Election Regulations for the Election of Members of the DFG Review Boards. You can withdraw this consent at any time with effect for the future. Please also note that this withdrawal shall only apply with future effect, meaning the lawfulness of the data processing which took place with your consent prior to withdrawing remains unaffected.

Important note on withdrawal and further processing of your data after the submission deadline for the list of candidates: Since data processing based on your consent is necessary for candidacy, the withdrawal of your consent to data processing also includes the declaration of withdrawal from a possible candidacy by yourself or by a proposed individual.

In this connection, please also note that after the submission deadline (the exact date in September 2023 will be published in good time on the election portal www.dfg.de/fk-wahl2023), it will no longer be possible to change the list of candidates and in this case your data will continue to be processed even after your consent has been withdrawn (cf. in this regard § 7 para. 1(2) and para. 2 of the Election Regulations for the Election of Members of the DFG Review Boards). The data processing is then based on the legitimate interests of the DFG (point (f) of Article 6 Paragraph 1 GDPR), which arise from the requirements for the proper and smooth conduct of the review board election in accordance with the DFG statutes and the Election Regulations.

Duration of storage
We will erase your data once it is no longer necessary for the purposes pursued by us, once the storage period specified in the consent has expired or should you have withdrawn your consent and no other legal basis is present. Should the latter situation apply, we erase the data once the other legal basis is no longer applicable.

3. Voting centre coordinators

Categories of data:
- Name and work contact details (address, e-mail address, telephone number)
- Position
- Details of the research institution and organisation unit at which you are employed

Purpose of processing and legal basis
If you are involved in the election as the voting centre coordinator, we process your personal data for the preparation and conduct of the DFG review board election. The purposes include the following in particular:

- Communication with you
- Publication of the data on the DFG’s website for third parties to contact, especially potential voters and other persons responsible for electoral positions

Data processing for the purpose of communication is carried out based on point (b) of Article 6 Paragraph 1 GDPR (contract/quasi-contractual relationship) in conjunction with point (h) of § 4 Section(1) and § 15 of the DFG statutes and the Election Regulations for the Election of Members of the DFG Review Boards in the currently valid version (for DFG member organisations), if applicable in conjunction with the Agreement on the Establishment of a Voting Centre (for non-member organisations of the DFG) for the preparation and conduct of the election in accordance with the DFG statutes and the applicable election regulations. The necessary processing of
your data for the purposes outlined is based on the statutory / contractual rights and obligations existing between the DFG and your employer. For the purpose of fulfilling these duties, your employer has entrusted you, within the framework of your existing contractual / employment relationship, with the performance of the tasks arising from the statutes and the electoral regulations.

Data processing for the purpose of publication on the DFG website is based on point (f) of Article 6 Paragraph 1 GDPR (legitimate interests), based on your contract with the voting centre for which you work. Our legitimate interests arise from the requirements for the orderly and smooth conduct of the review board election in accordance with the DFG statutes and the election regulations. To this end, it is also necessary to provide eligible voters with easy access to information about the relevant contact persons for their voting centre via the DFG website and to enable those responsible for voting centres to network with each other.

Duration of storage
We will erase the data once it is no longer necessary for the purposes pursued by us in connection with the preparation and conduct of the DFG review board election and provided that no other legal requirements, in particular statutory or contractual retention periods, apply.

4. If you are contacted by us as a head of a research institution/scholarly society/faculty association in connection with the election, we process your personal data for the following purposes:

Categories of data:
- Name and work contact details (address, e-mail address, telephone number)
- Details of the research institution at which you are employed

Purpose of processing and legal basis
If you are contacted by us in the context of the election (preparation) as a head of a research institution/scholarly society/faculty association or if you contact us, we process your personal data for the following purposes:

- communication/coordination regarding the establishment of a voting centre and appointment of a person responsible for the voting centre
- exercise of your rights to propose (potential) candidates and the communication required to do so
- participation in the coordination/determination of the subject area structure

Data processing relating to heads of research institutions is carried out based on point (b) of Article 6 Paragraph 1 GDPR (contract/quasi-contractual relationship) in conjunction with point (h) of § 4 Section (1) and § 15 of the DFG statutes and the Election Regulations for the Election of Members of the DFG Review Boards in the currently valid version (for DFG member institutions), if applicable in conjunction with the Agreement on the Establishment of a Voting Centre (for non-member institutions of the DFG) for the preparation and conduct of the election in accordance with the DFG statutes and the applicable election regulations. The necessary processing of your data for the purposes outlined is based on the statutory / contractual rights and obligations existing between the DFG and your employer. For the purpose of fulfilling these duties, your employer has entrusted you, within the framework of your existing employment relationship, with the performance of the tasks arising from the statutes and the electoral regulations.
Regarding heads of scholarly societies and faculty associations, data processing is based on point (f) of Article 6 Paragraph 1 GDPR (legitimate interests). Here, our legitimate interests consist in pursuing the above-mentioned purpose and arise from the requirements for the orderly and smooth conduct of the review board election in accordance with the DFG statutes and the Election Regulations for the Election of Members of the DFG Review Boards.

**Duration of storage**
We will erase the data once it is no longer necessary for the purposes being pursued by us and provided that no other legal requirements apply.

5. **Other situations in which data is processed**
In addition to the above scope of processing, we process your personal data in connection with preparing and implementing the DFG review board elections as follows:

a) **General enquiries about the DFG review board election**
If you contact us with enquiries about the DFG review board election, we will process the data you provide (e.g. name and work contact details, data relating to the research institution/scholarly society at which you work and the content of your enquiry for the purpose of communicating with you). The data processing takes place based on point (f) of Article 6 Paragraph 1 GDPR (legitimate interests). Here, our legitimate interests consist in pursuing the above-mentioned purpose and arise from the requirements for the orderly and smooth conduct of the review board election in accordance with the DFG statutes and the Election Regulations for the Election of Members of the DFG Review Boards.

We will erase the data once it is no longer necessary for the purposes being pursued by us and provided that no other legal requirements apply.

b) **Fulfilment of legal obligations**
Under certain circumstances, we will also process your personal data in order to comply with legal obligations, for example under commercial, tax, financial or criminal law. The purposes of the processing are determined by the respective legal obligation. As a rule, the processing takes place in order to comply with state monitoring and information obligations.

To this extent, the data is processed in accordance with point (c) of Article 6 Paragraph 1 GDPR.

**Duration of storage**
We will erase the data once the legal obligation no longer applies, provided that no other legal requirements, in particular statutory or contractual retention periods, apply.

c) **Statistical documentation**
The DFG carries out statistical evaluations of review board elections, in particular to evaluate developments with regard to electoral eligibility and participation, subject structure, right of nomination, individuals proposed for candidacy, candidates, those elected, participation of HAWs (universities of applied sciences) including their researchers (e.g. according to success rates, gender, average age, etc.). The statistical analyses are exclusively for internal use by the DFG and may also contain a small amount of personal data of individuals proposed for candidacy, candidates and those elected (e.g. name and subject discipline). Apart from this, the statistics are anonymised. The data processing takes place in accordance with point (f) of Article 6 Paragraph 1 GDPR (legitimate interests). Our legitimate interests arise from the processing purpose stated. Data processing...
is necessary to record and evaluate developments in the staffing of DFG Review Boards and to make the necessary adjustments where required.

We will erase the data once it is no longer necessary for the purposes being pursued by us and provided that no other legal requirements apply.

IV. Will my personal data also be collected from third parties?
We primarily process the personal data which we obtain from you directly in connection with the preparation and conduct of the DFG review board election. In a few cases, we also obtain your personal data from third parties, for example:

- From the voting centre/research institution at which you are conducting research
- From institutions that have proposed or wish to propose you for candidacy or for the conferral of the right to vote on an individual basis (as an individual voter)
- From publicly accessible sources

If necessary, we will provide you with more precise information about the above in separate form.

V. Does automated decision-making or profiling take place?
We do not use automated decision-making or profiling in accordance with Article 22 GDPR.

VI. Am I required to provide my personal data?
You are generally not obliged to provide us with personal data. This applies in particular to candidates and those proposed for candidacy, as it is up to them to decide whether they agree to stand as a candidate or be proposed for candidacy. However, the provision of personal data may be necessary for the preparation and conduct of DFG review board elections due to contractual and/or statutory requirements that apply at the research institutions/scholarly societies at which you are employed or whose management you have been assigned with (e.g. for the preparation of an electoral roll, determination of the persons responsible for voting centres, etc.).

VII. Who has access to my personal data and which recipients obtain it?
Within the DFG Head Office, only those employees and committee members who strictly require your personal data in order to carry out their functions or tasks have access to it. These are, in particular, the review board election project team and the organisational units in the DFG that are involved in preparing and providing it to the DFG bodies responsible.

We only pass your personal data on to external recipients if a legal basis exists for this or if you have given your consent to such. External recipients may be:

- **Processors**: Service providers who are commissioned by us to process personal data in the context of DFG review board elections, that we use to provide personnel services or that are entrusted with the maintenance of our IT systems. These processors have been carefully selected by us and are regularly audited in order to ensure that your personal data remains protected. The service providers may only process your personal data for the purposes stated by us.

- **Public bodies**: Authorities and state institutions such as public prosecutor’s offices, courts and financial authorities to whom we may be required to provide personal data in individual cases.

- **Publication of the business contact details of those responsible for voting centres on the DFG website**: Since your data is published on the DFG website,
it can be accessed worldwide from the time of publication and further use by third parties cannot therefore be ruled out.

VIII. Will my personal data be transferred to third countries?
Your personal data is not transferred to third countries as part of the preparation and conduct of the DFG review board election.

IX. For how long will my data be stored?
Please see the relevant section concerning data processing under Number IV. in order to find out for how long your personal data is stored.

X. What are my rights as a data subject?
You are entitled to the following rights in connection with the processing of your personal data:

1. Right of access
You have the right to receive confirmation from us as to whether we process personal data relating to you or not. Should this be the case, you have the right to receive information concerning your personal data and to receive further details concerning the processing.

2. Right to rectification
You have the right to request the rectification of incorrect personal data relating to you and to have incomplete personal data completed.

3. Right to erasure (“right to be forgotten”)
Under certain circumstances, you have the right to request that we erase your personal data. For example, this right exists if the personal data is no longer necessary for the purposes for which it was collected or otherwise processed or if the personal data was processed unlawfully.

4. Restriction of processing
Under certain circumstances, you have the right to request that the processing of your personal data be restricted. In such a case, we will only store such personal data in relation to which you have given your consent or processing is permitted by the GDPR. For example, you may have a right to restrict processing if you have disputed the correctness of your personal data.

5. Data portability
Should you have provided us with personal data under a contract or with your consent, then provided that the statutory requirements are met, you can request to receive the data which you have provided in a structured, commonly used and machine-readable format or request that we transfer this data to another controller.

6. Withdrawal of consent
Should you have given us your consent to the processing of your personal data, you can withdraw this at any time with effect for the future. The lawfulness of the processing of your personal data prior to the withdrawal remains unaffected by this.

7. Objection against processing on the basis of a “legitimate interest”
You 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 point (f) of Article 6 Paragraph 1 GDPR (data processing in accordance with a balancing of interests). Should you raise an objection, we will no longer process your personal data, unless we can demonstrate compelling legitimate grounds for the processing which outweigh your interests, rights and freedoms or the processing is for the establishment, exercise or defence of legal claims.

8. Right to complain to the supervisory authority
You also have the right to lodge a complaint with the responsible supervisory authority, should you consider that the processing of your data breaches applicable laws. For this purpose, you can contact the data protection authority which is responsible for your place of residence, place of employment or the location of the alleged breach or the data protection authority which has jurisdiction over us. The supervisory authority of the German Federal State in which you reside or work or where an alleged breach which forms the subject of the complaint has taken place holds jurisdiction.

XI. Who can I contact if I have any questions or wish to assert my rights as a data subject?
Should you have any questions concerning the processing of your personal data or should you wish to assert your rights as a data subject which are set out in Number XI. 1-7, you can contact us free of charge. Please use the contact details under Number I., 1. To withdraw your consent, you can also use the contact channel which you selected when submitting the declaration of consent.