

<b>Procurement at Research Council of Finland</b> <b>Privacy notice (EU General Data Protection Regulation 2016/679, Articles 13 and 14)</b>	
Controller	Research Council of Finland
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Name of register	<b>Procurement at Research Council of Finland</b>
Legal basis and purpose of personal data processing	<p>The Research Council of Finland is a central government authority in the Ministry of Education, Science and Culture's administrative branch whose statutory duty is to promote scientific research and research framework conditions as well as their utilisation by funding them and by participating in international cooperation, to act as an expert in the development and implementation of science policy, and to carry out other tasks assigned to it (Act on the Academy of Finland 922/2009).</p> <p>In tasks related to RCF procurement, the processing of personal data is based on the RCF's statutory obligation and the performance of a task carried out in the public interest (General Data Protection Regulation, Article 6(1)(c) and (e)).</p> <p>The RCF is obliged to comply with public procurement legislation, such as the Act on Public Procurement and Concession Contracts (1397/2016, 'Procurement Act'), in tenders exceeding certain thresholds. Other applicable laws include the Criminal Records Act (770/1993) and the Act on the Contractor's Obligations and Liability when Work is Contracted Out (1233/2006). In addition, the contracting authority must take into account sanctions in its procurement. The sanctions checks apply to both companies and their beneficiaries.</p> <p>In addition, the RCF needs to process personal data in procurements that do not exceed the threshold values set in procurement legislation or that are not subject to competitive tendering due to exceptions in the scope of application of the legislation. In such cases, the RCF has a legitimate interest in processing personal data in order to perform its tasks in accordance with the act governing it and in a high-quality and cost-effective manner.</p> <p>During the agreement period, the RCF will use the government's joint ordering and invoicing system (Handi) to manage Handi orders and pay</p>



	<p>invoices. The billing information specified in the agreement shall be used for orders and invoices, which may also include the supplier's personal data.</p> <p>Personal data is processed for the following purposes: responses to market surveys, preparation of purchases, tenders, procurement contracts, orders, communication with suppliers during the term of the contract, appeal procedures concerning procurement decisions, and archiving.</p> <p>The processing of personal data is also based on legislation in audit procedures in accordance with state budget legislation and in the processing of requests for information concerning procurement documents.</p>
Data subjects and categories of personal data	<p>Contact persons for tenderers: name, organisation and position in organisation, contact details such as email address and telephone number</p> <p>Members of the tenderers' administrative, management or supervisory bodies or persons exercising representative, decision-making or supervisory powers: name, organisation and position in organisation, information from criminal records (for procurements exceeding EU thresholds).</p> <p>Experts named in the tender and persons participating in any interviews or personal assessments related to the evaluation of tenders: name, organisation and position in organisation, information on education and professional qualifications, experience and other characteristics relevant to the subject of the procurement.</p> <p>Contact persons for references provided in the tender: name, organisation and position in organisation, contact details, details of the reference in question.</p> <p>Other personal data included in tenders or collected during the procurement procedure, such as information on the tenderer's staff contained in project or implementation plans, information on auditors contained in trade register extracts, proxies and other persons related to the tenderer or its subcontractors: name, organisation and position in organisation, date of birth, information on education and professional qualifications, experience and other characteristics relevant to the subject of the procurement.</p> <p>Information contained in orders and invoices, contact details, information about the invoicer's personnel or other persons related to the invoicer or its subcontractors: name, organisation, contact details.</p> <p>Details on RCF staff to manage user IDs: name, contact details.</p>
Categories of recipients of the personal data	<p>The data are disclosed only according to the duties and permissions granted in Finnish legislation. The right of public access is regulated under the Finnish Act on the Openness of Government Activities (621/1999). Public documents are disclosed according to sections 13 and 16 of the Act. An official document may be secret if it has been so</p>



	<p>provided. Secret official documents are disclosed only on the grounds of consent of the data subject, to a party, or due to a legal right.</p> <p>The data will be processed by RCF officials involved in the procurement and persons who need access to the data for the performance of their duties. The RCF may also procure expert services for competitive tendering, in which case the contractual partner may process personal data falling within the scope of the contracting authority's registration responsibility, such as personal data related to competitive tendering and tenders, to the extent necessary for the performance of the contract.</p> <p>Personal data is processed in the information systems of the RCF or its contractual partners, whose suppliers also act as data processors or sub-processors. In connection with public procurement tendering processes, personal data is processed in the tendering services maintained by Hansel and in the RCF's case management system. Data are also processed in the invoicing system (Handi) maintained by Palkeet.</p> <p>The National Audit Office of Finland may process personal data contained in procurement documents as part of its audit pursuant to the State Budget Act (423/1988) and regulations issued thereunder.</p>
Transferring personal data to a third country or an international organisation	Data will not be transferred outside the European Union or the European Economic Area or to international organisations.
Period for which the personal data will be stored or how this period is defined	<p>The archiving plan of the RCF contains more detailed provisions on archiving. The Finnish Archive Act (831/1994) regulates the archiving duties of authorities.</p> <p>Procurement documents (requests for tenders, tenders, opening reports, procurement decisions, contracts, orders, complaints, etc.) shall, as a rule, be retained for ten years and, if the contract period is longer than this, for the entire contract period.</p> <p>Information concerning criminal records is not stored or retained, but is returned or destroyed immediately after the checks have been completed.</p> <p>The information stored in the order and invoicing system (Handi) (orders, invoices, etc.) is retained for the period specified in the privacy notice for the system in question.</p>
From which source the personal data originate if not obtained from the data subject	<p>The RCF receives the information as part of the tender submitted by the tenderer, who is either the data subject themselves or the data subject's employer, or who has requested the data subject's permission to use the information in their tender, e.g. as a reference contact person.</p> <p>The RCF obtains criminal record information from the selected tenderer.</p>



	<p>If necessary, the RCF may also obtain information from public sources, including the Trade Register maintained by the National Board of Patents and Registration.</p>
Rights of data subjects	<p><u><i>Right of access to personal data</i></u></p> <p>The data subject has the right to obtain from the controller confirmation as to whether personal data concerning them are being processed, and, where that is the case, to obtain access to the personal data. On request, the controller shall provide a copy of the personal data undergoing processing. The request should be addressed to the contact person of the controller.</p> <p>Provided that the data subject requests the above copy more frequently than once a year, the controller will charge a reasonable fee based on administrative costs.</p> <p><u><i>Right to rectification</i></u></p> <p>The data subject has the right to obtain from the controller without undue delay the rectification of inaccurate and incorrect personal data concerning them. The request should be addressed to the controller's contact person.</p> <p><u><i>Right to restrict processing</i></u></p> <p>The data subject has the right to obtain from the controller a restriction of processing, for example when the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data. Where processing has been restricted, such personal data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the European Union or of an EU member state.</p> <p><u><i>Right to erasure</i></u></p> <p>The data subject has the right to ask the controller to erase personal data concerning them without undue delay. This right does not apply, for example, if the processing is necessary for compliance with a legal obligation under Union or Member State law to which the controller is subject or if the processing is carried out for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. Nor does the right apply, for example, where processing is necessary for archiving purposes in the public interest, or where the right to erasure is likely to prevent or greatly complicate such processing.</p> <p>If you have any requests concerning the rights of the data subject, please contact us at kirjaamo@aka.fi.</p> <p><u><i>Right to lodge complaint with supervisory authority</i></u></p>



## Research Council of Finland

	<p>Without prejudice to any other administrative or judicial remedy, every data subject has the right to lodge a complaint with a supervisory authority, in particular in the member state of their habitual residence, place of work or place of the alleged infringement, if the data subject considers that the processing of their personal data infringes the General Data Protection Regulation. This right is without prejudice to other administrative appeal or legal remedies.</p> <p>In Finland, the national supervisory authority is the Data Protection Ombudsman: <a href="mailto:tietosuoja@om.fi">tietosuoja@om.fi</a>, tel. +358 295 666 700.</p>
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