

Additional Data Protection Statement for data processing by Chemnitz University of Technology for Philipp Schwartz Initiative applications (Version: 8/2020)

We look forward to receiving your application for the Philipp Schwartz Initiative (PSI), which is supported by the Alexander von Humboldt Foundation (AvH) and administered by Chemnitz University of Technology (TU Chemnitz). Data protection and data security are a top priority for us. In order to fulfil our obligation to provide you with the relevant information, this statement explains the extent to which we process personal data, i.e. information which relates to an identified or identifiable natural person (hereinafter the “data subject”).

In addition to the general information regarding data processing of TU Chemnitz (<https://www.tu-chemnitz.de/tu/datenschutz.html>), you, as an applicant and as a hosting professor, will be provided with, among other things, specific information about the type, scope and purpose of the data processing carried out by us (e.g. data collection, storage, etc.) in connection with the PSI application. For participation in the programme, the collection, storage and processing of personal data is based on the regulations of the AvH programme documents.

The PSI is an AvH funding programme to enable researchers at risk to carry out their research in Germany. Applications for the funding programme¹ must be submitted centrally to the AvH via TU Chemnitz in accordance with the funding conditions of this programme. Your data will be electronically recorded, processed and stored by TU Chemnitz and forwarded to the AvH for application purposes. At TU Chemnitz, we only process personal data from applicants – including you as the applicant and the hosting professorship – to the extent necessary for the intended participation in the PSI and the associated application.

A separate Data Protection Statement applies to data processing in connection with funding, which will be made available to you in advance.

I. Name and contact details of the controller

The controller within the meaning of the EU General Data Protection Regulation (GDPR) and other national data protection laws of the member states as well as other data protection regulations is:

Chemnitz University of Technology
represented by the President: Prof. Gerd Strohmeier
Strasse der Nationen 62
09111 Chemnitz, Germany
E-mail: rektor@tu-chemnitz.de
Telephone: +49 (0)371 5311 0000
Fax: +49 (0)371 5311 0009
Web: www.tu-chemnitz.de

¹ The AvH funding conditions are available at <http://www.humboldt-foundation.de/web/philipp-schwartz-initiative.html> (24 July 2020).

If you have any further questions about the Data Protection Statement of the International Office at Chemnitz University of Technology or if you want to exercise the rights granted to you, the staff at the International Office of TU Chemnitz are happy to help at any time. The best way to contact us is via e-mail (iuz@tu-chemnitz.de). Further contact details are available at the following link: <https://www.tu-chemnitz.de/international/iuz/kontakt/index.php>.

II. Contact details of the Data Protection Officer

The controller's Data Protection Officer is:

Gernot Kirchner
Data Protection Official of TU Chemnitz
Strasse der Nationen 62
09111 Chemnitz, Germany
E-mail: datenschutzbeauftragter@tu-chemnitz.de
Telephone: +49 (0)371 5311 2030
Fax: +49 (0)371 5311 2039
Web: <https://www.tu-chemnitz.de/rektorat/dsb/>

III. Processing of applicant data

1. The purpose and scope of data processing for Philipp Schwartz Initiative applications – for researchers at risk

When the application is submitted to the PSI, TU Chemnitz electronically records, processes and saves the required personal data in the AvH application forms and appendices. The data processing is necessary and required for the AvH to be able to conduct a transparent, fair and equitable selection procedure with regard to participation in the PSI. This data from the applicant includes:

1. Title
2. Full name
3. Gender
4. Nationality or nationalities
5. Date of birth, place of birth and country of birth
6. Residency status
7. Specialist area
8. E-mail address
9. Requested funding period
10. If relevant, date of departure from home country if already departed
11. Current place of residence with name, place and country and institution, if relevant
12. Name, place, country and length of stay of the last academic position outside Germany
13. Awarding institution of doctorate
14. Date of graduation
15. When applying for a spouse: Name of the spouse and hosting institution in Germany
16. Career data, including stations and functions
17. Information about any publications and other scientific achievements
18. Information about the dangerous situation, including any information about political opinions, religious and ideological beliefs and trade union membership
19. Information about previous funding from the PSI
20. Correspondence address

21. Information about the planned research project
22. Statement from the supervisor about the applicant

The TUCcloud provides a secure channel for submission of the application documents. Applicants can upload all documents to the TUCcloud, where only the project manager responsible for the PSI at the International Office will have access to the uploaded files.

2. Legal basis for the data processing

The personal data relating to data subjects (researchers at risk) is generally only processed with their prior consent in accordance with Art. 6 (1) 1 lit. a) and Art. 9 (2) lit. a) GDPR.

3. Storage period

The personal data we process will only be stored in a form that enables the identification of the data subjects as necessary for the purposes for which they are processed, i.e. in the present case as long as you do not inform us that you have withdrawn your Declaration of Consent.

In the case of individuals who are not considered for funding by the AvH, the data will be deleted after the application process is complete, i.e. following a negative funding decision.

In the case of individuals selected to participate in the PSI, data is stored and processed until the individual has fully completed their time at TU Chemnitz, whereby the corresponding additional Data Protection Statement for sponsored individuals at the PSI regulates the details and will be made available in advance.

4. Recipients of the personal data

The processing of personal data is only carried out by the following individuals and legal entities: Chemnitz University of Technology, University Management, International Office, hosting professorship, Human Resources Department, Finance Department at TU Chemnitz. The data will also be forwarded to the AvH for selection and potential funding (see b below). If there is no evidence of risk for a data subject, the data is also passed on to the Scholars at Risk network or Council for At-Risk Academics (see a below).

TU Chemnitz notifies all recipients to whom personal data is disclosed about all rectifications and deletions of personal data and processing restriction in accordance with Art. 16, Art. 17 (1) and Art. 18 GDPR, unless this proves to be impossible or involves a disproportionate effort. TU Chemnitz will inform you as the data subject about these recipients if you request this information.

a) Data transfer for obtaining evidence of risk

Researchers at risk who submit an application to the PSI must provide evidence that they are at risk. If there is no such proof of risk or a legal residence status in connection with an asylum procedure, the AvH guidelines state that² the International Office can obtain the proof of risk centrally from the Scholars at Risk network or Council for At-Risk Academics. For this purpose, it is necessary to forward the following information about the applicant to the responsible administrator in one of the two networks:

1. Title
2. Full name
3. Gender
4. CV

² According to the AvH programme information

5. Own statement on the risk situation
6. Any relevant further information if necessary for the risk assessment

This information is encrypted and password-protected via the TUCcloud on a secure transmission path.

The Scholars at Risk network and Council for At-Risk Academics collect, save and process the data mentioned electronically for the purpose of issuing a risk certificate.

Consent to the transfer of this data to the Scholars at Risk network or the Council for At-Risk Academics is granted on a voluntary basis. If the consent is not granted or is withdrawn and there is no evidence of risk at the same time, the application for the data subject in the PSI cannot be pursued any further.

b) Data transfer for the submission of applications to the AvH

The AvH selects individuals to be sponsored by the PSI along with a selection committee appointed by the AvH. The required documents are forwarded from TU Chemnitz to the AvH so that the application is included in the selection process.

In accordance with the funding conditions of the AvH, TU Chemnitz centrally submits a bundled application to the AvH, which contains all applications received from researchers at risk and Chemnitz professorships. The data mentioned under 1. and 2. is passed on to the AvH.

The central application is forwarded in an encrypted and password-protected form in the TUCcloud using a secure transmission path. The application document is also password-protected. The password is sent to the AvH by post.

The consent to the transfer of the applicant's data is granted on a voluntary basis. If consent is not granted, it will not be possible for the data subject to pursue the PSI application any further.

5. Legal/contractual regulations for the provision of personal data and the consequences of failing to provide such data

Submitting an application to the PSI is on a voluntary basis, i.e. there is fundamentally no legal/contractual obligation to provide it and failure to provide it will generally not result in any consequences for you. However, the application can only be processed if the applicant has granted his/her consent to the electronic recording, storage and processing of the data. Your consent to the processing of the data is obtained on a voluntary basis using a corresponding form and reference is made to this Data Protection Statement. The consent takes the form of a clearly confirming act with which the data subject indicates that they consent to the processing of the personal data relating to them for the stated purpose. The application forms must as a rule be signed by hand.

6. Revocation option

You have the right to revoke your data protection declaration of consent with future effect at any time in whole or in part, without giving reasons and without unreasonable disadvantages. Withdrawing your consent does not affect the legality of the processing carried out on the basis of your consent up to the point of withdrawal. The revocation must be submitted at least in text form and generally via the personalised TUCcloud of the International Office, Chemnitz University of Technology. Revoking consent is as simple as giving consent.

If you revoke your consent to data processing and in particular to the transfer of data to the AvH and/or the Scholars at Risk network and/or the Council for At-Risk Academics, TU Chemnitz will not be able to forward your application to the AvH for assessment. This means that the processing of your application will stop and your personal data will be deleted immediately if there is no other legal basis for the processing.

7. Data processing security

When processing the above-mentioned personal data – including within the meaning of Art. 9 (1) GDPR – we have taken appropriate and specific measures to safeguard the interests of the participants concerned. The TUCcloud provides a secure channel for the encrypted and password-protected transmission of documents. Funded individuals receive all required documents via the TUCcloud and can submit all required documents using this service. Risk to the individual – e.g. through communication/sending application documents and other documents via unencrypted e-mail on one's own responsibility – cannot be ruled out and is the responsibility of the data subject. Taking into account the state of the art, the implementation costs and the type, scope, circumstances and purposes of the processing as well as the varying probability of occurrence and severity of the risks associated with the processing for the rights and freedoms of natural persons, this in particular includes: Measures in accordance with Art. 25, 32, 36 GDPR, ensuring that it can be subsequently checked and determined whether and by whom personal data has been entered, amended or erased, as well as raising awareness and training those involved in processing operations.

IV. Processing of employee data

The PSI is an AvH funding programme to enable researchers at risk to carry out their research in Germany. Applications for the funding programme³ must be submitted centrally to the AvH via TU Chemnitz in accordance with the funding conditions of this programme. Your data will be electronically recorded, processed and stored by TU Chemnitz and forwarded to the AvH for application purposes.

1. Purpose and scope of the data processing

In addition to the information provided by the applicant, data from the hosting professorship and other individuals involved in the application at TU Chemnitz are electronically recorded, stored and processed during the course of the PSI application. The data processing is necessary and required for the AvH to be able to conduct a transparent, fair and equitable selection procedure with regard to participation in the PSI.

These data from the hosting professorship include:

1. Name of the professorship at TU Chemnitz
2. Full name of the mentor of the hosting professorship
3. Address of the host institute
4. Communication data of the host institute
5. Statement regarding the applicant
6. Supervision and research position confirmation

This data of the university management's representative includes:

7. Title
8. Full name
9. Function

³ The AvH funding conditions are available at <http://www.humboldt-foundation.de/web/philipp-schwartz-initiative.html>.

10. E-mail address
11. Correspondence address

This data from the project management includes:

12. Title
13. Full name
14. Function
15. E-mail address
16. Telephone number
17. Correspondence address

2. Legal basis for the data processing

The legal basis for the processing of personal data for the hosting professorship and the departments of TU Chemnitz entrusted with the application within the framework of the application to the PSI is Art. 88 GDPR in conjunction with Section 11 SächsDSDG (Saxon Data Protection Implementation Act). No further declaration of consent is necessary/expedient.

3. Storage period

The storage period is based on no. III. 3.

4. Recipients of the personal data

The recipients of the personal data are based on No. III. 4., without lit. a).

5. Legal/contractual regulations for the provision of personal data and the consequences of failing to provide such data

The statement above in Section III. 5 shall apply.

6. Objection/revocation or erasure option

The processing of official employee data of TU Chemnitz within the context of the PSI application is necessary within the context of the implementation of the service or employment relationship, so that there is generally no possibility of objection/revocation or erasure in this regard, unless it is decided on the whole against supporting the application.

7. Data processing security

The statement above in Section III. 7 shall apply.

V. Processing of data by the AvH

The electronic recording, storage and processing of personal data and its transfer to the members of the selection committee and their agents are regulated by the AvH Data Protection Statement within the context of the application forms for the Philipp Schwartz Initiative of 3 June 2020, which are attached to this Data Protection Statement of TU Chemnitz as an annex.

TU Chemnitz expressly points out that the AvH acts as an independently responsible body within the meaning of Art. 4 (7) GDPR, i.e. the AvH's Data Protection Statement is also created and used independently under its own responsibility. TU Chemnitz is not responsible in this context.

1. Legal basis for the data processing

The legal basis for the further processing of the data by the AvH is prior consent of the applicants and the hosting professorship as well as other people who are involved in the application at TU Chemnitz in accordance with Art. 6 (1) 1 lit. a) and Art. 9 (2) lit. a) GDPR.

Using the appropriate forms for consent to the processing of their data by the AvH for the PSI in accordance with its Data Protection Statement, TU Chemnitz asks the applicants, the professors involved, the representatives of the university management and the International Office's employees as staff for their consent to the data processing by the AvH for the PSI in accordance with its Data Protection Statement.

By granting their consent to data processing by the AvH, staff of TU Chemnitz agree that their personal data may be forwarded to the AvH and processed there. The AvH regulates everything else independently within the meaning of Art. 4 (7) GDPR in the underlying AvH Data Protection Statement.

As with the consent to data processing for the PSI at and by TU Chemnitz, the above-mentioned individuals can also withdraw their consent to data processing by the AvH for the PSI with future effect at any time and in whole or separately, without giving reasons and without suffering unreasonable disadvantages. If data subjects revoke their consent to the data processing by the AvH during the processing of the application and before the start of funding, the application will be stopped.

More details in connection with the revocation of consent to data processing by the AvH can be found in the above-mentioned underlying Data Protection Statement of the AvH.

VI. Rights of the data subject

If your personal data is processed, you are a "data subject" within the meaning of the GDPR and have the following rights in connection with TU Chemnitz (Controller), which you can assert against the International Office as your contact person: the right to information, right to rectification, right to erasure (right to be forgotten), right to restriction of processing, right to information, right to data portability, right of objection, right to revoke the Declaration of Consent under data protection law, right not to be subject to an automated decision in individual cases (including profiling) and right to complain to the supervisory authority. For more information, see: <https://www.tu-chemnitz.de/tu/datenschutz.html.en>.

You can find out more about your rights as a data subject in connection with the AvH in the AvH's Data Protection Statement within the context of the application forms for the Philipp Schwartz Initiative dated 3 June 2020.

VII. Updates/amendments to this Data Protection Statement.

This Data Protection Statement is currently valid and was last updated in August 2020. The current Data Protection Statement can be accessed, printed out and downloaded at any time on the website at mytuc.org/wxzc.



The signatory states the following:

- The undertaking which forms the object of the present application, and its implementation using the funds hereby applied for, is not being financed by a third party. In addition, the concept will not be submitted to a third party for funding purposes.
- I have taken note of the regulations relevant to the present application, as specified in the programme guidelines, and undertake to proceed accordingly in the event that funds are granted.

- **Data Protection Declaration:**

I hereby declare myself in agreement that the data provided by me at the time of the application will be collected and used by the Alexander von Humboldt Foundation (AvH) for the purpose of application processing.

I accept that the AvH electronically stores and processes my personal data (first name, surname, academic title, academic discipline (if applicable), gender, postal address, email address, institutional affiliation, function) and that the AvH and her representatives or funding institutions within the meaning of Art. 28 of the European General Data Protection Regulation (GDPR) will use my data for statistics, assessing and evaluation purposes. Evaluation results will be published in accumulated and anonymized form only.

I confirm that I have obtained the agreement of all persons involved in the application process permitting the AvH and her representatives including selection committee members and awarding authorities to collect and process all relevant personal data to the above mentioned extent.

I particularly confirm that I have obtained the permission of the persons nominated for Philipp Schwartz fellowships to circulate their personal data to the AvH and to their data being electronically stored and processed for statistics, assessing and evaluation purposes by the AvH and her representatives, including selection committee members and awarding authorities within the meaning of Art. 28 European General Data Protection Regulation (GDPR). Evaluation results will be published in accumulated and anonymized form only.

Personal data include first name, surname, academic title, academic discipline, nationality, gender, postal address, email address, current or last affiliation, date of birth, career stages, threat assessments, legal/residence status (if applicable), previous fellowships by the AvH (if applicable).

In the case of successful applications, the AvH will publish the name of the applicant institution and anonymised information on the application and nominated candidates.

I agree that my data can be stored for a period of 10 years for above mentioned purposes as well as in order to facilitate future applications, also in the case the application has been rejected.

Data will be saved on AvH servers or in the case of order processing on servers of AvH representatives and awarding authorities; Data will not be disclosed to third parties within the meaning of Art. 4, par. 10 European General Data Protection Regulation (GDPR).

Furthermore I am aware that my data is being collected, processed and used on a voluntary basis and that I can revoke my consent for the future at any time. In this case, I will declare my revocation by sending an email to info@avh.de. If I revoke my consent while the application is still being processed my data will be deleted and the application will not be considered any further. If I revoke my consent at a time when the processing of the rejected application has already been finished my data will be anonymised.

I confirm that all persons nominated in the application have been informed that their data is being collected, processed, and used on a voluntary basis and that they can revoke their consent for the future at any time. The nominated persons can declare their revocation by sending an email to info@avh.de. If they revoke their consent while the application is still being processed their data will be deleted and the nomination will not be considered any further. If they revoke their consent at a time when the processing of the rejected application has already been finished their data will be anonymised.

AvH Data Protection Officer: Ansgar Schuldenzucker (ansgar.schuldenzucker@avh.de).

Place / date

Signature of head of the host institution (president/rector or - in the case of non-university research institutions – director/head) or authorised representative