



***PRIVACY NOTICE AND CONSENT FORM – Submission of Proposals for
Observing Time in the CHEOPS Guest Observers Programme - Reference
ESA-SCI-SITU-DPNR-DEC-0006 – ES DPNR #1840 – March 2023***

Introduction

The European Space Agency (herein the “Agency” or “ESA”) is an intergovernmental organisation established by its Convention opened for signature in Paris on 30 May 1975 having its headquarters located at 24 rue du Général Bertrand, CS 30798, 75345 Paris Cedex 07, France.

Protection of Personal Data is of great importance for ESA, which strives to ensure a high level of protection as required by the ESA Framework on Personal Data Protection (herein the “ESA PDP Framework”) which applies in this field. ESA implements appropriate measures to preserve the rights of data subjects, to ensure the processing of personal data for specified and legitimate purposes, in a not excessive manner, as necessary for the purposes for which the personal data were collected or for which they are further processed, in conditions protecting confidentiality, integrity and safety of personal data and generally to implement the principles set forth in the PDP Framework, available at: http://www.esa.int/About_Us/Law_at_ESA/Highlights_of_ESA_rules_and_regulations

ESA PDP Framework is composed of the following elements:

- the Principles of Personal Data Protection, as adopted by ESA Council Resolution (ESA/C/CCLXVIII/Res.2 (Final)) adopted on 13 June 2017;
- the Rules of Procedure for the Data Protection Supervisory Authority, as adopted by ESA Council Resolution (ESA/C/CCLXVIII/Res.2 (Final)) adopted on 13 June 2017; and
- the Policy on Personal Data Protection adopted by Director General of ESA on 5 February 2018 and effective on 1 March 2018.

This notice is intended to inform you, as data subject, about:

- the identity of the data controller and contact details of ESA Data Protection Officer (“DPO”);
- the type of personal data which is collected and processed;
- the modalities of collection of personal data;
- the purpose of the collection and processing;
- the recipients (if any) to whom the personal data of the data subject shall be disclosed;
- the time-limits for storing the personal data;
- the practical modalities of exercising the rights of the data subject under the ESA PDP Framework.

This notice also enables ESA to obtain your consent relating to the collection and further processing of your personal data, under ESA PDP Framework.



This privacy notice was last updated on: March the 16th, 2023.

(1) Who is the Data Controller?

Participation in the CHEOPS Guest Observers Programme, through proposal submission to either Announcements of Opportunity or to the Discretionary Programme component, involves separate Data Controllers. This means that each Data Controller is responsible for the personal data they process. Your personal data are collected and further processed as shown below upon the decisions taken each separate Controller, as follows:

- ESA: upon receipt of the data, ESA becomes the Data Controller for the submitted data
- Applicant proposal submitter as Controller for their personal data
- Organisation proposal submitter as Controller for personal data they submit or separately process.
- External experts that may be involved in the evaluation process, upon receipt of personal data.
- CHEOPS Science Operations Centre, which is part of the CHEOPS Mission Consortium, based at the University of Geneva for elements of approved submissions, including the collected personal data and upon acceptance of submissions, the Science Operations Centre will become the data controller for all data received/processed as part of the complete observation process.
- External experts where these may be involved in the evaluation of proposals for any personal data they may receive as part of the process.

This privacy notice provides the details only for the ESA processing of your data. Other data controllers are responsible for providing their own privacy information, please refer to their separate privacy notices.

The privacy notice for the University of Geneva can be found via their websites.

(2) What are the contact details of ESA Data Protection Officer?

According to ESA PDP Framework, your first point of contact concerning personal data matters is the ESA Data Protection Officer (“DPO”), who may be contacted at DPO@esa.int

(3) What kind of personal data about you are collected and further processed?

The personal data which may be collected and further processed for the purposes mentioned below are in particular:

- First Name
- Surname
- Career status
- Institute
- Country



- E-mail address
- COSMOS ID

You are required not to send to the Agency any sensitive information (including information that indicate, directly or indirectly, an individual's racial or ethnic origin, political opinions, adherence to unions, religious or philosophical beliefs, health life, sexual orientation, genetic or biometric data, criminal convictions).

(4) How are your personal data collected or further processed?

Your personal data are being/have been supplied by you or by the Principal Investigator of the proposal via the Cosmos platform and web form that referenced this privacy notice.

(5) Why are your personal data collected and further processed?

Your personal data are collected and further processed:

- *to enable participation in the CHEOPS Guest Observers Programme.*
- *to enable correspondence related to proposals submitted for observing time in ESA's CHEOPS Guest Observers Programme through either the Announcements of Opportunity or the Discretionary Programme component.*
- *to associate the proposal submitted with the principal investigator and/or the co-investigators.*
- *to be informed of the results of the proposal evaluation process.*
- *to facilitate and enable the assessment of the submitted proposal as part of the evaluation process.*
- *for inclusion in the announcement of proposals awarded observing time on CHEOPS through ESA web platforms (surname and country).*
- *to contribute to aggregated statistics that capture the impact and reach of the CHEOPS Guest Observers Programme (country information only).*
- *To facilitate and simplify access to the planning tools used in the guest observation programme.*
- *as part of information pertaining to successful proposals that is sent to the CHEOPS Science Operations Centre at the University of Geneva, to initiate definition of detailed observing plans (Phase II proposal submission) and future proprietary access to scientific data/observations (mission archive) for which the University of Geneva is a separate data controller.*
- *to associate scientific data/observations with the Principal Investigator (surname).*

In addition to these purposes, the Agency may use your personal information for any of the purposes mentioned in Article 5 of the Policy on Personal Data Protection.

(6) To whom might we disclose your personal data?

The Agency may disclose your personal data to any of the following third-party recipients for the fulfilment of all or part of the purposes of the collection and processing of personal data, which are mentioned above:

Recipient acting as...	Servers and sub-processors of the recipient are located in:
<i>Cosmos system administrators</i>	<i>ESA establishments in Europe</i>
<i>ESA CHEOPS Mission team (ESA staff and contractors)</i>	<i>ESA establishments in Europe</i>
<i>External Experts - CHEOPS Time Allocation Committee (CTAC) to evaluate the proposals (appointed by ESA)</i>	<i>EU member states, Switzerland, Canada, Norway and the UK (ESA Member States)</i>
<i>External Experts -- ad Hoc reviewers of proposals appointed to complement the expertise of the CTAC (appointed by ESA)</i>	<i>EU member states, Switzerland, Canada, Norway and the UK (ESA Member States)</i>
<i>CHEOPS Science Operations Centre</i>	<i>Geneva, Switzerland</i>

The Agency does not consider your personal data as an asset for sale and, thus, does not sell your personal data to any third parties.

(7) How long do we retain your personal data for?

The Agency may keep your personal data for as long as necessary for the fulfilment of the above-mentioned purposes.

Personal data is embedded in documents that are submitted as parts of the proposals, specifically the scientific and technical justifications. These documents, for both successful and unsuccessful proposals, will be retained by ESA for scientific and historical purposes and for the legacy of the CHEOPS mission.

(8) How can you erase, rectify, complete or amend your personal data?



The Agency is keen to collect and process accurate personal data and to keep it updated.

You may request the erasure, rectification, completion, or amendment of your personal data if they are inaccurate or incomplete, in relation to the purposes for which they are collected and processed, or if they are processed in violation with the principles referred in the ESA PDP Framework.

If you choose to make a request for the erasure of personal data, you understand and agree that you will participate no further in the CHEOPS Guest Observers Programme and that any participation in progress such as assessment of a proposal or time scheduled for observation may cease or be cancelled.

The above-mentioned request should be submitted to the ESA DPO, as first point of contact, by sending an email to: dpo@esa.int

- Copy to: cheops-support@cosmos.esa.int

(9) What could you do in case of a data protection incident?

In case of a data protection incident, you should contact ESA DPO, as first point of contact, by sending an email to: dpo@esa.int

In case you wish to submit a complaint, you are required to comply with the Rules of Procedure of the Supervisory Authority set forth by ESA PDP Framework. You will be required to demonstrate that a data protection incident occurred in relation to your personal data, following a decision of the Agency or at least to justify serious reasons to believe that such incident occurred.

(10) Your consent

By submitting a proposal, you confirm that you agree to the collection and further processing of your personal data as described within this privacy notice.

You will not be able to submit your proposal without providing the mandatory personal data as it is required for the purposes described herein. Mandatory fields are marked with a red asterisk.

You may withdraw consent by sending an email to ESA DPO at: dpo@esa.int, copy to cheops-support@cosmos.esa.int. Withdrawing consent will not affect the lawfulness of any processing carried out before you withdraw your consent.

Should you withdraw your consent for the processing of your personal data, you understand and agree that you will participate no further in the CHEOPS Guest Observers Programme and that any participation in progress such as assessment of a proposal or time scheduled for observation may cease or be cancelled.