

# Terms and Policies for Applicants to the Prototype Fund Switzerland

Last updated 17 March 2020

## Introduction

By accessing the Application Management Platform ("Platform"), you agree to our Terms and Policies. This document describes what data we collect, store and process, how processing takes place and which processors are involved. We are committed to protecting your data and privacy, if you have any questions, please contact us by sending an email to [info@opendata.ch](mailto:info@opendata.ch).

## Modifications

We may change these Terms and Policies due to changes in the Platform or the laws that apply to us and you. We will notify you by revising the "Last update" date on top of this document and by sending you a notification. By accessing the Platform, you agree to be bound to the most recent revision of these Terms and Policies. If we do update these Terms and Policies and you do not agree with the changes, you need to notify us and stop using the Platform.

## Collected data

### Data you provide

The application and selection process for our program requires you to provide us personal data such as your name, surname and email address. We also require you to provide information about your organisation, project or team members. By using the platform you agree that you are responsible for all data you provide and that you have the right to provide such data. If personal data is involved, you provide and must ensure that all data subjects gave you their consent to provide such data and for all data processing involved. You also must ensure that data subjects know these Terms and Policies and their rights concerning all applicable laws and regulations, including data protection laws.

## Data we automatically collect

The Platform uses session cookies only, i.e. temporary cookies that identify the user and show the path a user takes within our websites, applications or services. Our session cookies will be deleted when you close your browser or leave your session in the application or service. We do not use any persistent cookies (i.e. cookies that stay on your computer or device after you close your browser or leave your session in the application or service). So our websites, applications or services do not “remember” who you are, and do not “remember” your preferences within our websites, applications or services. Our session cookies are needed for our websites, applications or services to function properly. Deactivating cookies in your browser may affect platform functionality.

When using the Platform, we automatically record information sent to us by your browser. This information may include your IP (Internet Protocol) address, browser type and language settings, referring or exit pages, information on how you interact with the Platform or links on the Platform, domain names, landing pages, mobile carrier, device type, your web request or other such information. We may use web beacons to track the online user patterns or track activities linked to emails sent to our users.

## Data collected through third-party analytics

We do not use any third party analytic tools.

## Data access and use

Data access and its use is regulated. Any data or information that is not of a general nature will be kept strictly confidential.

## Data access on the Platform

To facilitate the application, revision and selection process, your data is accessed by 15 people (up to 5 staff members and the 10 jury members). Access to the platform is regulated through personal user profiles (username and password).

## Sub-processors

The platform is provided by Visible Solutions AG, Switzerland. More information is available on <https://www.visible-solutions.ch>.

To improve platform functionality we engage with selected sub-processors. We only engage with sub-processors which demonstrate high data security and privacy standards (such as sub-processors certified under the US-Swiss

or US-EU Privacy Shield agreement). Detailed description of sub-processors, terms of use, security and privacy settings and policies, contractors and services used are available on the respective sub-processor's website. By using the platform you also agree to the terms and conditions and privacy policies of all sub-processors.

Opendata.ch signed a Data Processing Agreement (DPA) with Visible Solutions AG, Switzerland. You can send us an email if you want to have more details about the DPA.

Data hosting: Hostpoint AG, Switzerland is used as hosting provider. The data center is ISO-27001 and FINMA (FINMA-RS-08/7 outsourcing banks) certified. Data in-transit is encrypted with Secure Sockets Layer (SSL) encryption. More information is available on <https://www.hostpoint.ch>.

Email dispatch: Mandrill (by Mailchimp, The Rocket Science Group LLC d/b/a MailChimp) is used as the email sending gateway. More information is available on <https://www.mandrill.com>.

## Other use of data

Some non-sensitive data you provide might be used on our website or other communication material. We may disclose collected information if required by law or if we believe, at our sole discretion, that you are infringing law or not respecting our Terms and Conditions.

## Data location and protection

The Platform and all data are stored on a Visible Solutions' dedicated server in a data center in Switzerland (Interxion, managed by Hostpoint AG, see section "Sub-processors"). The data center is ISO-27001 and FINMA (FINMA-RS-08/7 outsourcing banks) certified. Data in-transit is encrypted with Secure Sockets Layer (SSL) encryption. Data is regularly backed up to prevent data loss.

We protect against common web attacks, host data in secure data centers and use firewalls and access restrictions on our servers to secure our network and protect your information. Despite our efforts, you acknowledge that no method for electronic transmission and storage is fully secure and we cannot ensure or warrant the absolute security of information stored on or transmitted through our Platform. In the unlikely event that personal information is compromised as a result of a malicious attack or breach of security, we will notify those persons whose information has been compromised as soon as possible.

## Your rights as data subject

If you provide personal data from data subjects, you must insure that all data subjects gave you their consent to the collection, provision, processing and transfer of their personal data. You also must insure that data subjects know and can exercise their rights concerning all applicable laws and regulations, including data protection laws. If you are

a data subject and we act as a data controller for your personal data, you have specific rights concerning your data. These include:

### **Access**

You have the right to be informed about the personal data we collect and process about you. Please see these Terms and Policies for details or send us an email if anything is unclear or if you require additional information.

### **Revision**

You have the right to edit the personal data you provided if the data is no longer accurate. You can do so by sending us an email.

### **Erasure**

You have the right to erase all your personal data. If you decide to delete data, the process can not be undone. You can delete data by using the functions provided within the Platform or by sending us an email. As data is stored in backups, complete data erasure might take some time to be effective (see Terms and Conditions of the hosting provider).

### **Portability**

You have the right to obtain a portable export file of all personal data you provided. You can request such a file by sending us an email.

## Data retention

We retain your data until the end of July 2021 at the latest. This allows us to finalize our reporting. This means that we will delete your data on 31 July 2021. We actively delete data if you choose to delete data through functions provided within the Platform or if you instruct us to do so by sending us an email to [info@opendata.ch](mailto:info@opendata.ch)

## Contact

If you want to get in touch, if anything is unclear or if you have any questions or concerns about data privacy or these Terms and Policies, please contact us by sending an email to [info@opendata.ch](mailto:info@opendata.ch)