

BESTPRAC WG1/WG2/WG3-meeting in Tallinn, Estonia **March 11-12, 2019**

WG3 Legal - Report

WG3 Leader, Sarah Dello, Ghent University, Belgium

WG3 Vice-leader, Niina Mikkonen, Aalto University, Finland

Introduction

WG3 is mainly composed by legal counsels but also by EU research administrators who have to deal with legal issues in their day-to-day work without legal education and background.

Day 1: March 11, 2019

After joint sessions of the first day WG3 vice-leader Niina Mikkonen (Aalto University, Finland) welcomed the WG3 members and presented the agenda for the meeting. After the introduction, the WG3 participants briefly presented themselves.

The agenda of WG3 contained the following five topics, (co)-lead by nine WG3 volunteers.

1. Technology transfer: Focus on spin-offs.
2. GDPR – Experiences of universities since the entering into effect of the Regulation; how are universities tackling the practical issues (continuation to previous two meetings) and preparing the FAQ document on GPRD.
3. Impact in H2020 and proposal form: how can a research administrator with legal background provide help. Practical guidance, tips & tricks.
4. Synergies between H2020 and other European funded projects.
5. Pick and choose parallel session: GDPR FAQ (practical point of view).

WG3.1: Technology transfer: Focus on spin-offs

At the occasion of the BESTPRAC meeting in Belgrade last year, WG3 started looking into the topic of Technology Transfer. In Belgrade focus was on licensing. In this session Albena Vutsova (Sofia University, Bulgaria) shared basic principles regarding the university based technology transfer with focus on spin-offs – e.g. definitions, terminology, timing, funding sources, role of university and benefits for university. In order to make the topic more hands-on, the presentation included also some practical examples of university-based spin-offs. The presentation gave a good insight on the principles of spin-offs from the point of view of universities.

The session gained interest also in other WGs and few participants from WG1 attended this part of WG3 meeting.

WG3.2: GDPR – Experiences of universities since the entering into effect of the Regulation; how are universities tackling the practical issues (continuation to previous two meetings) and preparing the FAQ document on GPRD.

Rest of the day WG3 devoted to GDPR. The new General Data Protection Regulation came into force on May 25, 2018 and has been a kind of “hot-topic” since then.

WG3 had started the work related to GDPR already in the Bucharest meeting in February 2018. In Bucharest focus was on how universities could prepare for GDPR coming into force. Since the topic seemed to be interesting and gained a lot of interest not just within WG3 but also among other WGs it was natural to include the GDPR topic again in the program for the meeting in Belgrade. In the Belgrade meeting in September 2018, the approach to GDPR was pragmatic: four volunteers each presented how their respective universities deal with the implementation of GDPR. In Belgrade, due to interest and high significance of the GDPR in the future, the group agreed to continue with this topic in the upcoming WG3 meetings.

The GDPR session in Tallinn was started with presentation given by Andreas Schmalz (University of Geneva, Switzerland). Andreas presented how his organization is dealing with the GDPR. This was an interesting presentation since the status of Switzerland in Europe is a bit specific.

Main content of the GDPR session in Tallinn was to start preparing the FAQ document on GDPR.

Aim is that BESTPRAC GDPR FAQs would be a useful and practical document answering the common and tricky questions in the field of GDPR and research. Aim is that the document would serve not just WG3 but also other WGs of the BESTPRAC. Therefore, before the Tallinn meeting volunteers of this topic were asked to provide questions that should be answered in BESTPRAC GDPR FAQs. Among the questions received, the WG leaders selected 12 that will be included in the FAQ document on GDPR.

In Tallinn WG3 participants were split to four groups, each group lead by one volunteer, drafting the answers. The answers were presented with lively discussion.

Volunteers for the FAQ document on GDPR were:

- WG3 Vice-leader Niina Mikkonen (Aalto University, Finland)
- Kristin E. Harðardóttir (University of Iceland, Iceland)
- Ana Jakovljevic (National Body for Accreditation and Quality Assurance in Higher Education, Serbia)
- Martina Jug (Research Centre of the Slovenian Academy of Sciences and Arts, Slovenia)
- Andreas Schmalz (University of Geneva, Switzerland)

Day 2: March 12, 2019

WG3.3: Impact in H2020 and proposal form: how can a research administrator with legal background provide help. Practical guidance, tips & tricks.

In this session, Sarah Dello (Ghent University, Belgium) gave a presentation about the Impact section in H2020 proposals, not purely from a legal point of view but more pragmatic by providing an insight in the importance of Impact as an evaluation criteria, by sharing “dos” and “don’ts” when writing the Impact section and by sharing practical examples out of well well-written Impact sections.

This presentation had some similarities to and was considered complementary to the presentation given by Ellen Schenk (plenary session). This also demonstrates that Impact is a “hot topic” that is of common interest for all WGs but can be approached from different angles (legal and admin).

WG3.4: Synergies between H2020 and other European funded projects

In this session, Nataša Jakominić Marot (University of Rijeka, Croatia) presented the concept of synergies and more specifically, synergies between H2020 and structural funds. The presentation included some specific examples and possibilities.

As a second part of this session, Cătălin Marius Radu (Spiru Haret University, Romania) focused on looking ahead, focusing on the ideas of the European Commission on synergies under the new Framework Programme, Horizon Europe.

This session was found very useful by the participants since it is not really the core work of most of WG3 members. Given the increased attention on synergies under Horizon Europe, it was useful to have this session.

Pick and choose parallel session: GDPR FAQ (practical point of view)

Since the GDPR topic had gained a lot of interest (not just among WG3 but also within other WGs) in previous meetings, it was natural focus on it in this new pick and choose parallel session.

As was expected, a lot of participants from WG1 and WG2 attended the session.

Session was lead by WG3 vice-leader Niina Mikkonen (Aalto University, Finland). Aim of the session was to discuss and collect views, remarks and comments not only from legal point of view but also from admin, finance and more generic angle to the draft of FAQ document on GDPR.

The draft of FAQ document on GDPR were presented to the group. The presentation was followed by a lively and fruitful discussion.

Both this session on GDPR and the session on the earlier day were very practical and focused on the best practices in GDPR implementation in universities. The sessions gave a very good base to the BESTPRAC FAQ document on GDPR.

Looking ahead

For last meeting in Brussels in September 2019, WG3 will focus on the following topics:

- Summary of topics handled in Bucharest, Belgrade and Tallinn
- Updates on topics handled in Bucharest, Belgrade and Tallinn: e.g. insight on Horizon Europe (novelties since last presentation)
- Finalizing survival kits on CA negotiations and Impact with volunteers

Aim of WG3 is to provide practical guides/survival kits as deliverables:

- FAQ document on GDPR
- Survival kit: Consortium agreement negotiations
- Survival kit: Writing impact