

Personal data processing in procurement

Why do we collect and process personal data?

The main reason for the processing of personal data in procurement matters is compliance with Keva's legal obligation and the performance of a task carried out in the public interest (General Data Protection Regulation, Article 6 (1b and 1c)) We collect and process personal data in connection with the following tasks, among others:

- Tendering:
 - o The purpose of processing personal data is to carry out Keva's procurements and, as a contracting entity, Keva is obliged to comply with public procurement tendering in compliance with public procurement legislation based on the Act on Public Procurement and Concession Contracts (1397/2016, Procurement Act). In addition to legislation, Keva complies with its inhouse procurement guide. Checking to see whether the tenderer selected has a criminal record is based on the Procurement Act and the Criminal Records Act (770/1993).
- Other procurements:
 - o In addition to the above, Keva needs to process personal data in procurements which are below the threshold values laid down in procurement legislation or which do not need to be put out to tender due to an exemption to the scope of legislation. In such cases, Keva processes personal data on the basis of the performance of a task in the public interest.
- Other situations in which personal data is processed:
 - o Processing is based on legislation in appeal procedures concerning procurement decisions as well as in processing requests for information concerning procurement documents.

The purpose of processing personal data is to carry out Keva's procurements as competitive tendering in accordance with procurement legislation and as minor procurements.

Keva needs information on, among other things, the contact persons of the bidders participating in procurement procedures and whether the management of the winning tenderer has a criminal record. It is also necessary to process data on the contact persons in the references referred to by tenderers in their tenders and on the professional qualifications and experience of the persons referred to by tenderers in their tenders.

Keva may also process personal data in an appeal procedures.

The winning tenderer's bid, including appendices, usually becomes part of the procurement contract and this is why Keva needs to process personal data during the term of contract.

What personal data do we process?

We process the following data:

- Regarding the contact persons of tenderers and their subcontractors, Keva processes the following personal data: Name, organisation represented, position in the organisation and contact details.
- Regarding members of the administration and management or supervisory body of the tenderer or persons exercising representation, decision-making or supervisory control in the tenderer, Keva processes the following personal data: Name, organisation represented, position in the organisation and information appearing in the extract from criminal records.
- Regarding the experts named in the tender as well as persons participating in any interviews or personal evaluations relating to the assessment of the tender, Keva processes the following personal data: Name, organisation represented, position in the organisation, contact details and information about education and professional qualifications as well as experience and other characteristics of relevance to the subject of the procurement. Where the personal data referred to above is provided from experts, persons participating in interviews or personal evaluations, the tenderer must have requested their consent to disclosure of the data.
- Regarding the contact persons in references referred to in the tender, Keva processes the following personal data: Name, organisation represented, position in the organisation, contact details and information on and a description of the reference mentioned.
- Other personal data - such as information contained about the tenderer's personnel in project or implementation plans, information about auditors, persons with the power of procuration mentioned in trade register extracts and other information about other persons related to the tendering company or subcontractor - collected that is included in tenders during the procurement procedure: Name, organisation represented, position in the organisation, date of birth, contact details and information about education and professional qualifications as well as experience and other characteristics of relevance to the subject of the procurement.

How long do we keep personal data?

- Personal data is kept during the term of contract as required. After the end of the term of contract, we comply with the retention times in the information management plan.
- Documentary material relating to procurements, including the procurement contract, any associated security agreement, and confidentiality agreements are kept as specified in Keva's procurement

guide. Procurement documents are kept in accordance with the information management plan: Invitations to tender, awarded tenders and procurement contracts for 15 years and non-awarded tenders for 10 years from the end of the asset management year. The original documents included in tenders are forwarded and stored in Keva's contract and case management system at the same time as the procurement decision.

- Documents related to appeal processes (including tenders) are kept for at least the duration of the appeal process and the measures required for the outcome of the appeal process.
- Information concerning extracts from criminal records are neither stored nor kept but are returned to the tenderer on request or destroyed immediately after the extracts have been viewed.

Where do we obtain information from?

- Keva obtains the personal data referred to above as part of the tender submitted where the tenderer submitting the tender is either the data subject itself, a registered employer or has requested the consent of the data subjects to use the data as a contact person in a reference, for example.
- Keva obtains the information in the extract from criminal records from a selected provider.
- In addition, Keva checks the information given in the tender from various public or commercial data sources such as the company search in the YTJ business information system.

Do we transfer personal data to outside of the EU/EEA?

We do not transfer data to outside of the EU/EEA.

How do we protect your personal data?

The information contained in the register is processed solely by Keva employees whose jobs require them to do. Each Keva employee processing personal data has signed a confidentiality agreement. Keva's systems are protected with passwords and firewalls. Personal data are processed only and solely to the extent required by each task.

Personal data are not disclosed to third parties and anyone processing personal data must always ensure that they talk with the person whose personal data it is. Information is not transferred for direct marketing, survey or market research purposes unless there are specific provisions on transfer for this purpose.

To meet our statutory obligations and to execute procurement, Keva uses contractual partners to process personal data. Personal data are processed as needed in Keva's information systems or those of contractual partners. In

conjunction with public procurement tendering processes, personal data are processed in among others the marketplace maintained by Cludia Oy and in Keva's case management system.

The information and documents of authorities are public unless explicitly provided by law to be kept confidential. Disclosure of public documents containing personal data for other than private use or journalistic purposes requires the data recipient to have a basis for processing the personal data in accordance with the General Data Protection Regulation (GDPR).

Data can, however, be disclosed, on a case-by-case basis, to organisations requesting the data under the Act on the Openness of Government Activities (621/1999). Under section 28 of the Act, Keva may, in individual cases, grant permission to gain access to a secret document for purposes of scientific research, statistical compilations or the preparation of official plans or studies, if it is obvious that access will not violate the interests protected by the secrecy provision.

Under section 138 of the Act on Public Procurement and Concession Contracts (1397/2016), other participants in competitive tendering have the right to request to view the tendering material of the service provider selected, except for information to be kept confidential such as business or trade secrets or, for example personal data.

How can you inspect your own data?

You have a right to inspect the information on you stored in our systems and the right to request copies of the information and documents about you.

You can send an inspection request by secure mail [here](#).

How can you request to have your data rectified, erased or restrict processing or object to the processing of your data?

You have the right to request the rectification of inaccurate information in our register. You can send a rectification request by secure mail [here](#).

The data required to perform a statutory task cannot be erased from the register. However, the data is erased automatically after the end of the deadline set for retention. Nor can you request the restriction of processing or transfer of data to another system where the processing of personal data is based on statutory requirement.

If we refuse to carry out the actions you request, you have the right to refer the matter to the Office of the Data Protection Ombudsman for consideration.

Contact details of the Office of the Data Protection Ombudsman:

Office of the Data Protection Ombudsman
Postal address: P.O. Box 800, 00521 Helsinki, Finland
Switchboard: +358 29 566 6700
Email: tietosuoja@om.fi



Updated 13.9.2021

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Contact details of the controller:

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To ensure data security, please send emails via secure post [here](#).