

[Third FRA survey on discrimination and hate crime against Jews in the EU – online data collection and website](#)

The European Union Agency for Fundamental Rights (FRA or Agency) processes the personal data of a natural person in compliance with Regulation 2018/1725 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

This data protection notice explains FRA's policies and practices regarding its collection and use of your personal data, and sets forth your privacy rights. We recognise that information privacy is an ongoing responsibility, and we will update this notice where necessary.

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**1. Why do we process personal data?**

The purpose of the processing of the personal data is to carry out the Third FRA survey on discrimination and hate crime against Jews in the EU. The aim of the survey is to provide the Agency with information concerning the opinions and experiences of antisemitism, hate-crime victimisation and discrimination and living a Jewish life of persons aged 16 years and over, who self-identify as Jewish and have been living in the countries covered by the survey for at least 12 months before. The countries that will be covered consist of 13 EU Member States: Austria, Belgium, Czechia, Denmark, France, Germany, Italy, Hungary, the Netherlands, Poland, Romania, Spain, and Sweden.

## 2. What kind of personal data does the Agency process?

We will collect only the following personal data necessary for the processing operation described above.

### (a) General personal data:

- Personal details (via the survey: gender, age, and country of birth)
- Contact details (email address, name): only if provided via email. There is no possibility to link between survey data and contact details.
- Education & Training details (highest educational attainment level)
- Family, lifestyle and social circumstances
- Other:
  - perception of societal problems including antisemitism, experience of antisemitism, bias-motivated harassment, violence and vandalism, discrimination, importance of religious practices, rights awareness, trust in and attachment to institutions.

### (b) Special categories of personal data:

Respondents' answers to the questions of the survey might reveal special categories of data:

- data revealing racial or ethnic origin
- political opinions
- religious beliefs
- data concerning health or sexual orientation

## 3. How do we collect and process your personal data?

### 3a. Information you provide us

Most of the data collected is based on your answers to the survey questions. For the purpose of inviting you to participate in the survey, you might be contacted by organisations, groups, communities (if you are part of them) or other people who have heard of the survey or you see an advertisement for the survey elsewhere. You are free to choose to participate or not. Potential respondents can send an email to the data processor (FRA's contractor Kantar Belgium SA) to be informed about the possibility to take part in the survey after the launch of it. Any personal information (like names or addresses) cannot be linked to the survey answers and they will not be transmitted to the Agency. The contractor will destroy these data after data collection has been completed.

### 3b. Information we collect about you

The survey tool is owned by Kantar Belgium SA and is located in servers within the EU. The survey website is hosted on a server located in the UK and managed by Kantar Group as subprocessor of Kantar Belgium SA. Anonymous information concerning the type and technical characteristics of the device used when

completing the survey will be stored to help assess any impact of the device used for data quality in the online survey.

#### **4. Who is responsible for processing your personal data?**

The Agency is the legal entity responsible for the processing of your personal data and determines the purposes of this processing activity. The Head of the Justice, Digital and Migration Unit is responsible for this processing operation.

The data collection is being carried out by FRA's contractor Kantar Belgium SA (data processor) on behalf of FRA. For the survey website, Kantar Group (Kantar Belgium SA subcontractor) will act as a sub-processor. The contractor was selected by FRA following a public procurement procedure.

#### **5. Which is the legal basis for this processing operation?**

The data collection is necessary for the performance of a task carried out in the public interest by Agency. Therefore, the legal basis for this processing operation can be found in Article 4.1.a) and c) of Regulation (EC) 168/2007, amended by Council Regulation (EU) 2018/ (FRA's Founding Regulation). In particular, this activity is foreseen under A.3.1 of FRA's Annual Work Programme 2022. Therefore, the processing is lawful under Article 5.1.(a) of Regulation (EU) No 2018/1725.

Processing of special categories of personal data (if any, as described in section 2 above) is justified for scientific purposes under Article 10(2)(j) of Regulation (EU) No 2018/1725.

In addition, since the participation in the consultation is not mandatory and is based on the consent given by the participants, the processing of the personal data is also in accordance with Article 5.1.(d) of Regulation (EU) No 2018/1725.

#### **6. Who can see your data?**

Data can be accessed by the responsible head of the unit at FRA, delegated FRA staff members of the project team, as well as the contractor (Kantar Belgium SA) and its sub-processor working for the Agency to manage data collection activities.

#### **7. Do we share your data with other organisations?**

Personal data is processed by the Agency and the contractor only. In case that we need to share your data with third parties, you will be notified to whom your personal data has been shared with.

#### **8. Do we intend to transfer your personal data to Third Countries/International Organizations (if applicable)**

The survey website is hosted by Kantar Group (subprocessor of Kantar Belgium SA) in the UK, thus the data collected through the website as described in section 3 above will be collected outside the EU. The European Commission's Adequacy Decision for UK, accessible [here](#), provides that an equivalent level of protection of personal data in the UK is ensured.

No personal data will be collected or transferred outside the EU.

### **9. When will we start the processing operation?**

The Agency and its contractor will start the processing operation in January 2023.

### **10. How long do we keep your data?**

The Agency and its contractor will keep the personal data based on respondents' answers listed under section 2 until the end of the contract (August 2023). After this point the collected data will be anonymised i.e. any metadata that could possibly identify an individual will be deleted. The anonymised dataset will be stored indefinitely for research purposes at the Agency and in data centers located within the EU.

### **11. How can you control your data?**

Under Regulation 2018/1725, you have rights we need to make you aware of. The rights available to you depend on our reason for processing your information. You are not required to pay any charges for exercising your rights except in cases where the requests are manifestly unfounded or excessive, in particular because of their repetitive character.

We will reply to your request without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests.

You can exercise your rights described below by sending an email request to FRA ([antisemitism-survey@fra.europa.eu](mailto:antisemitism-survey@fra.europa.eu) or [dpo@fra.europa.eu](mailto:dpo@fra.europa.eu)) acting as the responsible data controller or to the data protection officer of Kantar Public - [PublicCompliance@kantar.com](mailto:PublicCompliance@kantar.com) (the data processor).

#### **a. The value of your consent**

Since your participation is not mandatory, we need proof that you consented to the processing of your personal data. Consent will be collected by you clicking on "next" on a designated page of the questionnaire, where you will be informed that by clicking "next" you are consenting in taking part in the survey. When completing the survey, you can also choose not to answer questions which you don't want to answer. You have the right to withdraw your consent at any time, and we will delete your data or restrict its processing. All processing operations up until the withdrawal of consent will still be lawful.

#### **b. Your data protection rights**

Under data protection law, you have a number of rights of which we need to make you aware. The rights available to you depend on our reason for processing your information.

##### **i. Can you access your data?**

You have the right to receive information on whether we process your personal data or not, the purposes of the processing, the categories of personal data concerned, any recipients to whom the personal data have

been disclosed and their storage period. Furthermore, you can have access to such data, as well as obtain copies of your data undergoing processing at any time by 31 August 2023 (after this moment the data collected will be anonymised) and free of charge, by sending an email request to [PublicCompliance@kantar.com](mailto:PublicCompliance@kantar.com) (the data processor) or FRA directly (as data controller) via [antisemitism-survey@fra.europa.eu](mailto:antisemitism-survey@fra.europa.eu) or [dpo@fra.europa.eu](mailto:dpo@fra.europa.eu) as long as you can provide sufficient information to identify your data.

**ii. Can you modify your data?**

You have the right to ask us to rectify your data you think is inaccurate or incomplete at any time by 31 August 2023 (after this moment the data collected will be anonymised) and free of charge, by sending an email request to [PublicCompliance@kantar.com](mailto:PublicCompliance@kantar.com) (the data processor) or FRA directly (as data controller) via [antisemitism-survey@fra.europa.eu](mailto:antisemitism-survey@fra.europa.eu) or [dpo@fra.europa.eu](mailto:dpo@fra.europa.eu) as long as you can provide sufficient information to identify your data.

**iii. Can you restrict us from processing your data?**

You have the right to restrict the processing of your personal data at any time by 31 August 2023 (after this moment the data collected will be anonymised) and free of charge, by sending an email request to [PublicCompliance@kantar.com](mailto:PublicCompliance@kantar.com) (the data processor) or FRA directly (as data controller) via [antisemitism-survey@fra.europa.eu](mailto:antisemitism-survey@fra.europa.eu) or [dpo@fra.europa.eu](mailto:dpo@fra.europa.eu) as long as you can provide sufficient information to identify your data. If you do, we can no longer process them, but we can still store them. In some exceptional cases, we will still be able to use them (e.g. with your consent or for legal claims). You have this right in a few different situations: when you contest the accuracy of your personal data, when the Agency no longer needs the data for completing its tasks, when the processing activity is unlawful, and finally, when you have exercised your right to object.

**iv. Can you delete your data?**

You have the right to ask us to delete your data at any time by 31 August 2023 (after this moment the data collected will be anonymized) and free of charge (by sending an email request to [PublicCompliance@kantar.com](mailto:PublicCompliance@kantar.com)(the data processor) or FRA directly (as data controller) via [antisemitism-survey@fra.europa.eu](mailto:antisemitism-survey@fra.europa.eu) or [dpo@fra.europa.eu](mailto:dpo@fra.europa.eu) as long as you can provide sufficient information to identify your data) when the personal data are no longer necessary for the purposes for which they were collected, when you have withdrawn your consent or when the processing activity is unlawful. In certain occasions we will have to erase your data in order to comply with a legal obligation to which we are subject.

**v. Are you entitled to data portability?**

Data portability is a right guaranteed under Regulation 1725/2018 and consists in the right to have your personal data transmitted to you or directly to another controller of your choice.

In this case, this does not apply for two reasons: I) in order for this right to be guaranteed, the processing should be based on automated means, however we do not base our processing on any automated means; II) this processing operation is carried out in the public interest, which is an exception to the right to data portability in the Regulation.

**vi. Do you have the right to object?**

When the legal base of the processing is “*necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body*” which is the case in most of our processing operations, you have the right to object to the processing. In case you object, we have to stop the processing of your personal data, unless we demonstrate a compelling reason that can override your objection.

**12. What security measures are taken to safeguard your personal data?**

The Agency and its contractor has several security controls in place to protect your personal data from unauthorised access, use or disclosure. We keep your data stored on our internal servers with limited access to a specified audience only.

**13. What can you do in the event of a problem?**

a) The first step is to notify the Agency by sending an email to [antisemitism-survey@fra.europa.eu](mailto:antisemitism-survey@fra.europa.eu) and ask us to take action.

b) The second step, if you obtain no reply from us or if you are not satisfied with it, contact our Data Protection Officer (DPO) at [dpo@fra.europa.eu](mailto:dpo@fra.europa.eu).

c) At any time you can lodge a complaint with the EDPS at <http://www.edps.europa.eu>, who will examine your request and adopt the necessary measures.

**14. How do we update our data protection notice?**

We keep our data protection notice under regular review to make sure it is up to date and accurate. This Notice was lastly updated on 19.01.2023.

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