

**Consultation of stakeholders in the context of the specific contract No: 21-3030-03/FWC 5/FRA/nr 2
'Ex-ante, interim and ex-post evaluations of FRA projects'**

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 collect personal data?

We collect personal data in order to facilitate the conducting of ex-ante, interim and ex-post evaluations of a selected group of FRA projects included in the FRA Programming Documents.

The scope of the consultations will be to obtain feedback and input from stakeholders on the design, implementation, outputs, outtakes, results and impacts of a selected group of FRA projects under evaluation.

2. What kind of personal data does the Agency collect?

Relevant FRA's stakeholders will be identified by FRA (after notification) and their name, surname, age, email address and phone number, as well as employment details (function, work experience, opinions) will be collected.

In the context of the online survey tool (CheckMarket) used by the contractor (Centre for Strategy & Evaluation Services (Europe) Ltd), IP address may be collected (see [Privacy Policy](#)). Furthermore, usage of cookies is further described in CheckMarket's [Cookie Policy](#). In this document it is also explained how the data subject can exercise its preferences.

3. How do we collect your personal data?

3a. Information you provide us

The data will be collected from you via online surveys, and semi-structured interviews conducted by an external contractor (Centre for Strategy & Evaluation Services (Europe) Ltd (CSES Europe), 104 Lower Baggot Street, Dublin 2, Ireland.

In this regard, CSES Europe will select then who will be invited to respond to online surveys and semi-structured interviews.

For the purpose of the survey, the data processor will use the [CheckMarket](#) online survey tool.

Responses to the interviews will not be recorded by CSES Europe, but assessed based on notes taken during the interview. The responses both to the online surveys as well as to the interviews will be collected and summarized (in anonymized form) in a report by CSES Europe, which will not contain personal data.

4. Who is responsible for processing your personal data?

The Agency is the legal entity for the processing of personal data and who determines the objective of this processing activity. The Head of Corporate Services Unit is responsible for this processing operation.

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

Stakeholder consultation for the evaluation of FRA's activities is necessary for the management and functioning of the Agency. Article 30 of FRA founding regulation (EC) 168/2007 provides that the Agency shall regularly carry out evaluations of its activities. Therefore, the processing is lawful under Article 5.1.(a) of Regulation (EU) No 2018/1725.

In addition, since the participation in the above mentioned stakeholder consultation(s) is not mandatory, 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?

Names, functions, email addresses and phone numbers of selected FRA stakeholders, members as well as selected FRA staff will be shared with CSES Europe – see above point 2. CSES Europe will have access to these personal data as well as to the data collected via interviews. The responses provided will only be available to and assessed by CSES Europe. No other parties (also not FRA) will have access to the responses.

7. Do we share your data with other organisations?

Personal data is processed by the Agency only. In case 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

The data might be accessed by CSES Europe personnel in the United Kingdom. Such a possible transfer is compliant with Regulation (EU) No 2018/1725 (on the basis of the relevant [European Commission's adequacy decision](#)).

With respect to the online survey tool (CheckMarket) used by the contractor (CSES Europe), CSES Europe's agreement specifies that all survey data is stored in Ireland. CSES Europe survey data is stored in Ireland with back-up servers within the EU. CSES Europe does not make use of CheckMarkets' supplementary services which may lead to data transfers outside of the EU. CSES Europe rarely needs to liaise with CheckMarkets' customer support services but when necessary, it liaises with CheckMarkets' offices in the EU which are located in Ireland, Belgium, France, Germany, Spain, Czech Republic and Poland.

For further information, please also refer to CheckMarket's [Privacy Policy](#). Pursuant to this, 'for CheckMarket Users with accounts located in CheckMarket's European Data Region, all Personal Data is processed in the EEA' and 'personal data is not transmitted between Data Regions'.

No other transfers outside of the EU or EEA will take place.

9. When we will start the processing operation?

The processing operation will start at the beginning of March 2022.

10. How long do we keep your data?

CSES Europe will keep the data until **31/07/2022**. After this date, all personal data will be deleted.

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 planning@fra.europa.eu.

11.1. 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 through an email message to preselected stakeholders in a separate and distinct manner. 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.

11.2. Your data protection rights

a. 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.

b. 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.

c. Can you restrict us from processing your data?

You have the right to restrict the processing of your personal 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.

d. Can you delete your data?

You have the right to ask us to delete 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.

We will notify to each recipient to whom your personal data have been disclosed of any rectification or erasure of personal data or restriction of processing carried out in accordance with the above rights unless this proves impossible or involves disproportionate effort from our side.

e. 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.

f. 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.

g. Do we do automated decision making, including profiling?

Your personal data will not be used for an automated decision-making including profiling.

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

The Agency 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.

Organisational measures taken by FRA include a strict information security policy, control of access to electronically held information, data storage system, data management policy, training of FRA staff on

data protection and confidentiality, data retention rules. The Agency's technical measures comprise physical security, cybersecurity, a strict password policy, secure disposal, pseudonymisation and encryption, internet activity monitoring. In addition, FRA obliges data processors to apply corresponding security measures.

Furthermore, CSES Europe has implemented and will maintain appropriate administrative, technical, organizational, security and physical safeguards designed to (i) ensure the confidentiality, integrity, availability and resiliency of Personal Data; (ii) protect Personal Data against any anticipated threats or hazards to confidentiality, integrity, availability and resiliency of Personal Data; and (iii) protect against any actual or suspected unauthorized Processing, loss, disclosure, or acquisition of or access to any Personal Data or confidential information during the Agreement Term and as long as Client Personal Data is in CSES Europe's possession or under CSES Europe's control.

In the context of the online survey tool (CheckMarket) used by the contractor (CSES Europe), please read the CheckMarket's [security policy](#).

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 planning@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.
- 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.

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