

Consultation with local authorities and identification of resource persons to be invited to respond to a future online survey for the project “Local/city measures ensuring access to selected rights for temporary protection beneficiaries”

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 your personal data is to collect and verify data for a research project on local/city measures ensuring access to selected rights of temporary protection beneficiaries. In March 2022, the EU activated for the first time temporary protection to ensure that people fleeing from Ukraine get adequate protection.¹ The Temporary Protection Directive ([Council Directive 2001/55/EC](#)) – which applies in all EU Member States except Denmark (where [national rules](#) offer similar protection) – provides minimum standards for granting immediate and temporary protection in the event of a mass influx of displaced persons and measures promoting a balance of efforts between EU Member States in receiving such persons.

In this context, the objective of FRA's project is to advise the EU institutions and EU Member States on possible challenges and good practices arising in cities or locations in ensuring effective access to rights provided under the directive, specifically housing, education, employment and healthcare.

The project consists of desk research and consultations with local authority representatives for the four policy areas in 2-3 cities/locations in each of the 12 Member States covered by the research: Austria, Belgium, Czechia, Estonia, France, Germany, Italy, Ireland, Poland, Romania, Slovakia and Sweden. In addition, from each city or location, FRA contractors will identify four resource persons providing practical support to access employment, education, housing and healthcare to persons having fled Ukraine, and request their permission to be referred to FRA for invitation to participate in a future small-scale online survey. **The future survey itself is not part of this processing operation.**

The information from the consultations as well as the small-scale survey will feed into the preparation of a comparative report to be published in 2023.

This Privacy Notice concerns consultations with local authorities as well as the referral of resource persons to be invited by FRA to participate in a small-scale survey on behalf of their organization/service provider.

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.

General personal data:

- Personal details (name, surname)
- Contact details (professional email address, phone number)
- Employment details (name of organisation, job title/function)

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

For consultations with local authorities on their experience of ensuring access to rights of temporary protection beneficiaries, FRA contractors will identify representatives based on public information available on websites and their existing research network.

For resource persons/service providers to be contacted for possibly participating in an online survey, FRA contractors will use information obtained from websites and the consultations with local authority representatives.

The personal data indicated above (point 2) will be collected based on consent provided by email. This applies to local authority representatives asked to be consulted as well as resource persons working for service providers or support organisations asked for consenting to be referred to FRA to be invited to participate in a future online survey. This future survey will be covered by a separate privacy notice.

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 objective of this processing activity. The Head of Equality, Roma and Social Rights Unit is responsible for this processing operation.

The research is conducted on behalf of the Agency by [FRANET contractors](#) in the respective countries (Austria, Belgium, Czechia, Estonia, France, Germany, Italy, Poland, Romania, Slovakia and Sweden), who act as processors. For the data collection in Ireland, a contractor (processor) will be selected at a later stage. You will be informed about its details before the start of the data processing in Ireland.

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

The processing operation is necessary to achieve the Agency's goal, as stated in Article 2 of its founding [Regulation \(EC\) No 168/2007](#), amended by Council Regulation (EU) 2022/555 to provide its stakeholders, including Union institutions and EU Member States, with assistance and expertise relating to fundamental rights, including its tasks described in Article 4 (1)(a), (c) and (d) and is therefore lawful under Article 5.1(a) of the [Regulation \(EU\) No 2018/1725](#).

In addition, since the participation in the interviews 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?

The data will be processed by staff of FRA's Equality, Roma and Social Rights Unit and FRA contractors working on this project. Access is restricted to authorized staff members and only these members have access rights to open the files.

Your data is also accessed by designated staff of the contractors mentioned above (please refer to Section 4 of this Notice).

7. Do we share your data with other organisations?

Personal data is processed by the Agency 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

No

9. When will we start the processing operation?

We will start the processing operation in November 2022.

10. How long do we keep your data?

Your personal data as described above will be kept for 12 months. Anonymised research material, e.g. published report/s, will be kept indefinite.

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 TPDlocalauthorities@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 via email. 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.

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 TPDlocalauthorities@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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