

Handling of contact data stored in the Agency's contacts database (CRM)

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?

We collect personal data to enable FRA to inform interested parties, whose data is stored in our Customer Relationship Management (CRM) database, on the upcoming and recent activities of the Agency.

With regard to the FRA's stakeholder groups and FRA internal bodies like Data Protection Authorities, Equality Bodies, FRANET, Fundamental Rights Platform, National Human Rights Institutes, National Liaison Officers, National Parliamentary Focal Points, FRA Management Board, and Scientific Committee, etc, such data (name, organisation, job title, email address) may be used for the purpose of FRA's stakeholder cooperation activities as defined in FRA's communication and cooperation framework, notably to include these personal data in a 'country overview of national stakeholders'. These data will only be shared with FRA networks and FRA internal bodies and not further processed in a way incompatible with those purposes.

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

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

(a) General personal data:

- Personal details (name, surname, salutation)
- Contact details (postal address, e-mail address, telephone number, social media contact information)
- Employment details (job title, organisation)
- Other: preferences regarding the thematic areas of the Agency's work about which you wish to receive information, e.g. Roma, data protection, LGBTI, migration, etc.

In addition to the above, the CRM system may also log information when you have received or opened e-mails sent by the Agency.

More concretely, the CRM system handles contact data as follows. ...There are two workflows depending on whether there is a pre-existing consent to receive information about the Agency's activities from the stakeholder or not.

i) No pre-existing consent: In this case, an opt-in procedure is used. The data subject's data is stored in the CRM but cannot be used for mailings until they grant consent. An e-mail is sent to the subject requesting their consent, indicated by a ticked checkbox in the CRM. Reminder e-mails may also be sent. If consent is granted, this is recorded with a second ticked checkbox. If the subject does not respond by granting consent within a set period, their details will be automatically deleted from the system.

ii) Pre-existing consent: If the subject has already granted consent, this is recorded in the system in the same way (double tick), together with details of how the consent was granted.

Once granted, the consent remains valid until it expires, or until withdrawn by the subject. Data subjects are sent automatic reminders to renew their consent before it expires. The consent will then either be renewed if the subject agrees, or the subject's data will be deleted if they do not agree to renew consent.

3. How do we process your personal data?

3a. Information you provide us: You may provide us with information in several ways, including by filling in forms on our websites or by corresponding with us by phone, email and live chat, during meetings, etc.)

3b. Information we collect about you: As data subjects do not directly interact with the FRA CRM, it does not automatically collect any data. If you use the contact form on our website, we may – if you give your consent – collect information about your device, use of cookies, including your IP address, information about your visit (including how you got to our websites) and how you use our services. However the website and the CRM are separate systems and any data collected by the website is not shared with the CRM. For more details on the website, see the separate [Data Protection Notice](#).

3c. Information we receive from other sources: Such sources may include contractors organizing events on behalf of FRA, etc.

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 Communications and Events Unit is responsible for this processing operation.

The data processors are 1) Managing Innovation Strategies, SLL (MainStrat) in consortium with SARENET, S.A.U. (FRA's Web hosting contractor, where the CRM system is hosted), and 2) EWORX S.A., (the Agency's web development contractor providing the Customer Relationship Management system (CRM)). The latter is specifically involved in the setting up of the CRM system and providing technical support. Beyond this concrete task, it is not envisaged that it will process data on the controller's behalf on a regular basis. 3) Flowmailer SMTP relay service – Flowmailer is FRA's contractor for email relays. They receive the email that needs to be delivered and then relays it to the final recipient. For further information, please refer to the website of Flowmailer (<https://flowmailer.com/en/why/compliance-security>).

The data processors-contractors were selected following a public procurement procedure. Their servers are all located within the EU.

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

This processing operation is in line with the provisions of the FRA Founding Regulation (EC) No. 168/2007, as amended by Regulation (EU) 2022/555 (the amended founding Regulation), establishing the European Union Agency for Fundamental Rights, in particular Article 2 and Article 4(1)(h). Therefore, the processing is lawful under Article 5.1.(a) of the Regulation (EU) No 2018/1725.

In addition, the processing of the personal data is also in accordance with Article 5.1.(d) of Regulation (EU) No 2018/1725, as regards the inclusion of the stakeholders' personal data in the CRM system and the various mailing lists corresponding to different FRA's activities, which is voluntary, based on their consent, which is duly documented in the CRM system.

6. Who can see your data?

Within FRA, access to the CRM data is restricted to authorized staff members of the Agency, handling contact data stored in the CRM.

Outside the Agency, access to the CRM data is restricted to authorized staff members of the Agency's web development contractor. The web hosting contractor does not have access to the data. All connections are encrypted.

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 we will start the processing operation?

We will start the processing operation when you request or give your consent to receive information about the Agency's upcoming and recent activities.

If you have already given your consent to receive updates from us, this consent will be recorded in our contacts database (together with any expiry date specified) and you will receive such updates for as long as the consent remains valid. We may send you periodic reminders asking if you still wish to receive updates from us.

If you have not yet given consent, we may temporarily store your details in our contacts database in an inactive form, including the fact that no consent has yet been granted. This means that while your data can

be viewed by the persons specified in Section 6 above, it can only be used for the purpose of requesting your consent, and not for any other purpose. FRA will request the consent from you via e-mail. If you grant this consent, it will be recorded in the system (together with any expiry date specified) and you may receive updates from us for as long as the consent remains valid. This ensures that you will not receive updates from us unless you have granted your consent.

If you do not grant such consent, or if you do not respond to the Agency's request for consent after a maximum set period of 3 months, your details will be entirely deleted from our system.

10. How long do we keep your data?

We keep your contact information until you request to unsubscribe from one or more mailing lists or to delete your contact details entirely. If you request to be removed from one or more mailing lists, your name will be removed from those mailing lists only, but your contact details will remain in our system. If you request to delete your contact details, all your details will be entirely removed from our system. All e-mails you receive from the Agency will have the options to unsubscribe or delete your details.

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 information@fra.europa.eu. More details are given below.

11.1. The value of your consent

Since your participation in the CRM database is not mandatory, we need proof that you consented to the processing of your personal data. Consent will be collected via e-mail, forms etc. 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 any 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. Your data in the CRM is stored on the FRA servers, at the data centre of the Agency's

web hosting contractor. All data is stored within the EU. Access to the data is restricted to authorized staff members of the Agency and authorized staff of its web development contractors. All connections are encrypted and password protected. The final sending of the e-mails is done by the Agency's e-mail forwarding provider (Flowmailer). The personal data stored in the CRM is not shared with this provider.

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 information@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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