

Provision of evaluation services under Specific contract 07 17-3030-10.01– FWC 1/EU AGENCY FOR FUNDAMENTAL RIGHTS (FRA)

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 privacy 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 operations of performance monitoring, reporting and evaluation of FRA activities.

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

Relevant FRA's stakeholders as well as selected FRA staff members will be identified by FRA (after notification) and their name, function, email address and phone number will be shared with an external evaluator (ICF - www.icf.com) contracted by the Agency. ICF will select then those stakeholders to be invited to respond to an online survey, semi-structured interviews and an online questionnaire. Stakeholders responses to the interviews will not be recorded by ICF, 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 an evaluation report by ICF, which will not contain personal data.

3. How do we collect your personal data?

The data will be collected via online surveys, through interviews and online questionnaires conducted by an external evaluator (ICF - www.icf.com) with those stakeholders who gave their permission to be contacted.

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.

You can contact our Data Protection Officer at: dpo@fra.europa.eu.

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(a) of the 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(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 an external evaluator (ICF) – see above point 2. ICF will have access to these personal data as well as to the data collected via interviews. A limited number of FRA staff assigned to this activity have also access to the personal data. The responses provided by the relevant stakeholders will only be available to and assessed by the external evaluator. No other parties (also not the FRA) will have access to the responses prior to anonymization.

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, we will not transfer your personal data.

The data will be accessed by ICF personnel in the United Kingdom. Please note that on the basis of the EU-UK Trade and Cooperation Agreement (Article FINPROV.10A) “for the duration of the specified period, transmission of personal data from the Union to the United Kingdom shall not be considered as transfer to a third country under Union law.”

9. When we will start the processing operation?

We will start the processing operation together with the external evaluator on **31/01/2021**

10. How long do we keep your data?

ICF will keep the data until **30/06/2021** After this date, all personal data will be deleted.

11. How can you control your data?

You can access, modify or delete your personal data by sending an email request to FRA - Planning planning@fra.europa.eu. More details are provided below.

11.1. How valuable is your consent for us?

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, at any time and free of charge, by sending an email request to planning@fra.europa.eu.

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 by sending an email request to planning@fra.europa.eu.

c. Can you restrict us from processing your data?

You have the right to block the processing of your personal data at any time by sending an email request to planning@fra.europa.eu when you contest the accuracy of your personal data or when the Agency no longer needs the data for completing its tasks. You can also block the processing activity when the operation is unlawful, and you oppose to the erasure of the data.

d. Can you delete your data?

You have the right to ask us to delete your data at any time by sending an email request to planning@fra.europa.eu 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. Can you request the transfer of your data to a third party?

This only applies to information you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another, or give it to you. The right only applies if we are processing information based on your consent or for the performance of a contract or for entering into a contract and the processing is automated.

f. Do you have the right to object?

Yes, you have the right to object at any time by sending an email request to planning@fra.europa.eu when you have legitimate reasons relating to your particular situation. Moreover, you will be informed before your information is disclosed for the first time to third parties, or before it is used on their behalf, for direct marketing purposes.

The Agency will address your requests within 15 working days from the receipt of the request.

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

No.

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

The Agency applies standard safety measures to protect personal data from unauthorised access, use or disclosure. 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.

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.

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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 privacy notice?

We keep our privacy notice under regular review to make sure it is up to date and accurate.

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