

PROTECTION OF PERSONAL DATA IN RELATION TO PROCESSING INDIVIDUAL COMPLAINTS

Identity of controller:

The Head of the Equality and Citizen's Rights Department.

Purpose of processing:

To enable the FRA to reply to individual communications and follow up any further correspondence. According to preambular paragraph 15 of Council Regulation (EC) No. 168/2007 establishing a European Union Agency for Fundamental Rights, while the FRA may not deal with individual complaints it should take measures to raise the awareness of the general public about their fundamental rights, and about possibilities and different mechanisms for enforcing them in general.

Data concerned:

Legal and natural persons contacting the FRA with: requests for information or advice; offers of information or views relating to the work of the FRA; details of individual cases; complaints directed at the FRA itself.

Type of data processed:

Although the FRA is not empowered to deal with individual cases data subjects may submit any data of relevance to the work of the FRA.

Legal basis:

- (a) Regulation (EC) No. 168/2007, preambular paragraph 15
- (b) Regulation (EC) 45/2001, Article 5(a), (b), (d)
- (c) Council Decision (EC) 2008/203, adopting the Multiannual Framework Programme for the European Union Agency for Fundamental Rights for 2007-2012.

Recipients of the data processed:

Individual complaints are received by FRA staff and passed on to staff members responsible for responding. Complaints are only accessible to FRA staff.

Lawfulness of processing:

Processing is necessary in order to provide a response for individuals contacting the FRA. Regulation (EC) No. 168/2007 states that the FRA should raise awareness about fundamental rights and different mechanisms for enforcing them, though does not empower the FRA to deal with individual complaints as such. Processing the information is therefore necessary in order to formulate a suitable response for individuals contacting the FRA as well as for the purposes of further correspondence where this becomes necessary. By communicating this information to the FRA individuals consent to the FRA processing the data in so far as is necessary to enable a response.



The data subject's rights:

Data subjects have the right to access, update, correct, block, erase or object to their data being processed.

In line with the time limit for complaints to the Parliamentary Ombudsman data will be stored for a period of two years and one month before being erased or destroyed, running from the date of the substantive response from the FRA. Data may only be kept longer where correspondence between the data subject and the FRA is ongoing or the data is the object of a complaint against the FRA.

Data subjects are also entitled to have recourse at any time to the European Data Protection Supervisor: <http://www.edps.europa.eu>

Date when processing starts:

Date of receipt of data by FRA or date of creation of data by FRA.

Contact information:

Head of Department for Equality and Citizen's Rights
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A – 1040 Vienna
Austria