

PRIVACY NOTICE

The Agency would like to inform website users that personal data may be sent via the Clarity tool to a national non-judicial body if the body and user agree to send/accept data in this manner. In addition, personal data may also be stored in an email sent to a FRA email account if the user accepts to be contacted by the agency for follow-up purposes. Anonymised personal data is also collected via Cookies and stored on a FRA web server in order to analyse statistical information on tool usage.

Clarity tool personal data

Purpose: The purpose of the collection of the processing of the personal data is

1. **To help the user receive help with a fundamental rights problem directly from a national non-judicial body. In this case the body needs the contact details of the requesting user in order to contact the user.**
2. **To enable FRA staff to gain insight into fundamental rights issues people face in the EU. This data will be used for research purposes according to FRA founding regulation Article 4. For the same purpose, the user may give his/her explicit consent to enable FRA to follow-up within 6 months on how the complaint is resolved and whether there is a need for research relating to particular fundamental rights issues.**
3. **To improve the tool by analysing statistical information related to the use of the tool.**
4. **To enable users to provide feedback so that FRA can improve the tool.**

Description of Data: The data processed consist of the following categories:

1. User contact details for national non-judicial bodies – if a user agrees to send their data directly to a national non-judicial body and a body agrees to receive this data then the user will provide a name, surname and email address as mandatory information and may also provide a telephone number and additional notes (optional data). The results of the question and answers on the alleged violation are also sent in the email body.

2. User contact details for FRA – if a user agrees to being contacted by FRA their name, surname and email address will be sent via email to a restricted access email account.

3. The website uses [Piwik](#), an open source web analytics service. Piwik uses cookies to help to analyse the use of this site and to compile reports about website activity. The cookie stores a unique visitor ID which enables the analytics software to recognise visitors from previous visits. A JavaScript tracker then sends browsing information to the analytics software. The user's IP address which is communicated to the analytics software is anonymized and has 2 bytes masked. Log-based analytics are also used to track visits to the website. The following data or categories of data can be collected:

- Name of the web page opened
- Date and time of the request
- Browser type and version
- The user's operating system
- Referrer URL (the previously visited web page)

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- IP address

The user can decide to opt-out of Piwik cookie collection by setting a deactivation cookie. This prevents usage behaviour from being recorded. The cookie is called "Piwik_Ignore" and is set by clicking on the following link from this page: "[Object to PIWIK use](#)". This stores a cookie on your computer that tells us that we are not allowed to process your data. This lasts for two years. Note that your objection only remains valid for as long as you have this cookie stored on your system.

Piwik also respects the "Do not track" option that can be set on modern browsers. If you have this option enabled, your usage of this site will not be tracked.

Data Controller: The Data Controller is the Agency. The Head of Fundamental Rights Promotion Department is the responsible for this processing operation. This data is available upon request to the Head of FRPD.

Legal Basis: The Legal basis of the processing operation for which the data are intended is Article 5 (a), (d) of Regulation 45/2001.

Access to the Data: Relevant staff working on the FRA Clarity project, third-party organisations based in EU countries which are compliant with EU Data Protection Directive

Data Subjects are informed of the following rights in line with Article 13, 14, 15, 16, 17 and 18 of Regulation 45/2001:

- **Right of access** – Data subject have the right to access his or her data at any time, and free of charge, by sending an email request to the clarity@fra.europa.eu within 8 months. The Agency will address the request within 15 working days from the receipt of the request. Access to data which has already been sent to a third-party must be addressed with the third-party.
- **Right to rectify** – Data subjects have the right to rectify their data without delay of inaccurate or incomplete personal data, by sending an email request to the clarity@fra.europa.eu within 8 months. The Agency will address the request within 15 working days from the receipt of the request. Rectifying the data which has already been sent to a third-party must be addressed with the third-party.
- **Right to block** – Data subjects have the right to block their data at any time by sending an email to the clarity@fra.europa.eu, within 8 months, where their accuracy is contested by the data subject; or the controller no longer needs them for the accomplishment of its tasks but they have to be maintained for purposes of proof; or the processing is unlawful and the data subject opposes their erasure and demands their blocking instead. The Agency will address the request within 15 working days from the receipt of the request. Blocking the data which has already been sent to a third-party must be addressed with the third-party.

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- **Right to erasure** – Data subjects have the right to request to the controller, within 6 months, the erasure of their data, if their processing is unlawful, particularly where the provisions of Sections 1, 2 and 3 of Chapter II of Regulation 45/2001 have been infringed, by sending an e-mail to clarity@fra.europa.eu. The Agency will address the request within 15 working days from the receipt of the request. The erasure of data which has already been sent to a third-party must be addressed to the body in question.

- **Right to obtain notification to third parties** – Data subjects have the right obtain from the controller the notification to third parties to whom the data have been disclosed of any rectification, erasure or blocking pursuant to Article 13 to 16 of Regulation 45/2001, at any time unless this proves impossible or involve a disproportionate effort. The Agency will address the request within 15 working days from the receipt of the request.

- **Right to object** – Data subjects have the right:
 - To object at any time by sending an email request to the clarity@fra.europa.eu, on compelling legitimate grounds relating to their particular situation, to the processing of data relating to them, except in the cases covered by Article 5(b), (c) and (d). Where there is a justified objection, the processing in question may no longer involve those data. The Agency will address the request within 15 working days from the receipt of the request.
 - To be informed before personal data are disclosed for the first time to third parties or before they are used on their behalf for the purposes of direct marketing, and to be expressly offered the right to object free of charge to such disclosure or use. The Agency will address the request within 15 working days from the receipt of the request.

- **Right to have recourse** – Pursuant Article 11 of Regulation 45/2001, data subjects have the right to have recourse at any time to the European Data Protection Supervisor: <http://www.edps.europa.eu>

If the data subjects have any queries concerning the processing of their personal data, they may address them to the Head of FRPD, by contacting the clarity@fra.europa.eu.

Date when processing starts: Upon the user is using the Clarity Tool in order to receive assistance for a fundamental rights problem.

Place of storage: 1. Analytics data on the FRA web server, Bilbao, Spain;
2. Email stored in functional mail box on: FRA email server located at FRA premises in Vienna.

Retention policy Clarity personal data is stored for a period of 6 months on the FRA email server. There is an automatic rule to delete email after 6 months. Retention of data sent to a third-party (national non-judicial body) is governed by the data retention policy of the body in question.

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1. The data stored on FRA email server is: Name, Surname, Email address and other optional fields are deleted after 8 months. Data sent to third party is Name, Surname, Email address as well as information about fundamental rights problem details. The details are based on defined answer options presented in the tool as well as an optional field which allows the user to provide additional notes.
2. Analytics Cookies expire after 13 months and log data is stored for 54 weeks.

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