

## PRIVACY NOTICE

### Individual complaints

This Privacy Notice explains what kind of personal data the Agency collects from you and how the Agency uses that data.

#### **1. Why we collect personal data?**

We collect personal data to enable FRA to communicate with any person who is contacting the Agency with complaints relating to alleged acts of discrimination and human rights abuse or requesting information or advice.

#### **2. What kind of data does the Agency collect?**

The Agency collects data about the persons with a fundamental rights problem that they may face. Data relates to identification and contact details: name, surname, email address and a description of the problem.

#### **3. Who is responsible for the processing of the 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 Equality and Citizen's Rights department is responsible for this processing operation.

#### **4. Which is the legal basis for this processing operation?**

Having an open communication channel is necessary for the management and functioning of the Agency. Therefore, the processing is lawful under Article 5(a) of the Regulation (EC) No 45/2001.

Also, since the participation in this communication channel is not mandatory, the processing is lawful under Article 5(d) of the Regulation (EC) No 45/2001 because "the data subject has unambiguously given his or her consent".

According to the founding Regulation (EC) No 168/2007 of the Agency, we "*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, without, however, dealing itself with individual complaints*".

#### **5. Who can see my data?**

The individual complaints received by the Agency are directed towards the staff dealing with such complaints, and only they can access this data because the files are password protected. In some cases, the content of particular communications may be transmitted for translation purposes to other staff members.

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### 6. How to control your data?

You can access, modify or delete your personal data by sending an email request to [equality@fra.europa.eu](mailto:equality@fra.europa.eu). More details are provided below.

### 7. Can I access my data?

You have the right to access your data at any time and free of charge, by sending an email request to [equality@fra.europa.eu](mailto:equality@fra.europa.eu).

### 8. Can I modify my data?

You have the right to modify your data without delay of inaccurate or incomplete personal data at any time by sending an email request to [equality@fra.europa.eu](mailto:equality@fra.europa.eu). You have the right to update or correct at any time your identification data.

### 9. Can I block you from processing my data?

You have the right to block the processing of your personal data at any time by sending an email request to [equality@fra.europa.eu](mailto:equality@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.

### 10. Can I delete my data?

You have the right to delete your data at any time by sending an email request to [equality@fra.europa.eu](mailto:equality@fra.europa.eu) when the processing activity is unlawful.

### 11. Do you share my 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.

### 12. Do I have the right to object?

Yes, you have the right to object at any time by sending an email request to [equality@fra.europa.eu](mailto:equality@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.

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### 13. What can I do in the event of a problem?

a) The first step is to notify the Agency by sending an email to [equality@fra.europa.eu](mailto:equality@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](mailto: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. When will we start the processing operation?

We will start the processing operation upon submission of your complaint.

### 15. Security of personal data

The Agency has in place several security controls to protect your personal data from unauthorised access, use or disclosure. We keep your data stored on computer systems with limited access to a specified audience only.

### 16. How long do we keep your data?

The Agency will keep your data up to two years and one month before being erased or destroyed. This time limit will begin to run from when FRA provides a substantive response to your complaint. In case there has been an ongoing correspondence between you and the Agency, the time limit for storage will begin to run from the date of the last correspondence.

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