

***Consultation of stakeholders in the context of the implementation of the framework contract 21-3030-03/ FWC 1 / FRA – Provision of evaluation and feedback services (general data protection notice).***

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?

The purpose of the processing is to carry out FRA stakeholder consultations using the interinstitutional multiple framework contract 21-3030-03/ FWC 1 / FRA for the provision of evaluation and feedback services. The following contractors were awarded the contract following a public procurement procedure:

- ICF S.A. [[www.icf.com](http://www.icf.com)]
- ECORYS EUROPE [[www.ecorys.com](http://www.ecorys.com)]
- IPSOS N.V. [[www.ipsos.com/](http://www.ipsos.com/)]
- DELOITTE CONSULTING & ADVISORY CVBA [[www.deloitte.com](http://www.deloitte.com)]
- Centre for Strategy & Evaluation Services (Europe) Limited [[www.cses.co.uk](http://www.cses.co.uk)]

The consultations will be carried out by any of the five contractors which were awarded the multiple framework contract above, following the award of the respective specific contract. This general data protection notice covers all data collection activities likely to be conducted under the framework contract and are described below.

A selected number of stakeholders from within and outside FRA will be consulted to provide feedback on FRA work through:

- (a) semi-structured in-depth individual interviews;
- (b) focus group discussions or group interviews
- (c) online surveys
- (d) direct observation

This is done in the context of facilitating the operations of performance monitoring, reporting, and evaluation and feedback on FRA activities.

The scope of the consultations will be to include a stakeholder perspective in the context of FRA's Consolidated Annual Activity Report as well as ex-ante, interim and ex-post evaluations of a selected group of FRA projects, according to the planned projects included in the FRA's Single Programming Document.

The activities involving processing of personal data which the selected contractor will undertake to provide the stakeholder consultation as well as the means and methods used for the processing will be described in a dedicated data protection notice.

Relevant FRA's stakeholders as well as selected FRA staff members will be identified by FRA and their data (name, surname, email and telephone number) will be shared with the selected contractor in particular for the implementation of the necessary interviews.

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

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

(a) General personal data: (keep only what is relevant)

- Personal details (name, surname, gender)
- Contact details (email address, mobile number)
- Education & Training details
- Employment details (function, work experience,)
- Other (please give details)
  - In the context of the online stakeholder consultations, IP addresses, cookies, metadata or information about participants' devices might be collected by the online tools used to carry out the consultation. The specific data collected by the online tool selected by each contractor to carry out the stakeholders' consultation will be indicated in the respective data protection notice.
  - In the context of interviews, focus group discussions and online surveys, opinions provided by the stakeholders might also be collected.

(b) Special categories of personal data:

- The responses provided by the stakeholders as well as the image of respondents if online tools are used might incidentally reveal:
  - data revealing racial or ethnic origin
  - political opinions
  - religious beliefs
  - genetic data, biometric data, data concerning health or sexual orientation
  - data concerning health

## 3. How do we collect and process your personal data?

*3a. Information you provide us.*

Relevant FRA's stakeholders as well as selected FRA staff members will be identified by FRA and their name, surname, email address and phone number, as well as employment details (function, work experience, opinions) will be shared with the selected external contractor for the implementation of the necessary data collection activities.

In this regard, stakeholders will be invited to respond to the online surveys, focus group discussions, and semi-structured interviews. Responses will normally not be recorded but assessed based on

notes taken during the interview or focus group discussion. In case sessions are audio or video recorded, you will be informed about it in the respective specific data protection notice and only upon your consent.

The responses to the online surveys as well as to the interviews and focus groups discussions will be collected and summarized (in anonymised form) in a report by the contractor, which will not contain personal data.

Participation of stakeholders in the consultation is voluntary. They can discontinue their participation at any time or refuse to answer any question without consequence of any kind and without giving a reason.

*3b. Information we collect about you.*

For online surveys, FRA's contractor may use a survey management tool which, for the purposes of communicating with the stakeholders, might collect and process some personal data (such as IP addresses, cookies, metadata or information about participants devices).

You will be informed about the online tool used by the selected contractor as well as the personal data collected by means of a specific data protection notice.

*3c. Information we receive from other sources.*

FRA's contractor may also undertake research and collect your personal data (contact details) from third parties such as associations of legal professionals, etc, or information available publicly on Internet websites

#### **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.

The selected contractor from those mentioned in section 1 above will act as FRA's data processor and will process data on behalf of FRA, as specified under section 1 above.

Moreover, if other third parties are involved in the processing of your personal data as processors or sub-processors, you will be informed accordingly in the respective specific data protection notice.

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

Stakeholder consultation for the monitoring and evaluation of FRA's activities is necessary for the performance of the tasks carried out by the Agency in the public interest. This includes the purpose of

regularly carrying out ex ante and ex post evaluations of its activities pursuant to Article 30 (1) of the FRA Founding Regulation (Council Regulation (EC) No. 168/2007 establishing a European Union Agency for Fundamental Rights as amended by Regulation (EU) 2022/555).

Therefore, the processing is lawful under Article 5.1.(a) of the Regulation (EU) No 2018/1725.

The incidental processing of special categories of personal data, such as racial or ethnic origin, political opinions or religious or philosophical beliefs when stakeholders switch their cameras during online consultations is lawful under Article 10(2)(a) of the same Regulation, as specific consent is given by the data subjects.

## **6. Who can see your data?**

A restricted number of FRA staff responsible for the implementation of the above-mentioned project will have access to the collected personal data.

Names, surnames, email addresses, phone numbers, function, work experience and opinions of selected FRA stakeholders members as well as selected FRA staff will be shared with the designated staff of the external contractor.

Selected staff members of the selected contractor, which are bound by specific contractual clauses for any processing operations of stakeholders' personal data on behalf of FRA, and by the confidentiality obligations deriving from Regulation (EC) 2018/1725 will have access to the above mentioned personal data as well as to the data collected via surveys, interviews, focus group discussions, and direct observation.

The responses provided by the relevant stakeholders will only be available to and assessed by the external evaluator (selected contractor). No other parties (also not FRA) will have access to the responses prior to anonymisation.

## **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. If transfers of (limited) personal data need to be transfer outside the European Union for the performance of the respective specific contract, you will be informed accordingly in the specific data protection notice. In any case such transfer take place, they will comply with the provisions of Title V of Regulation 2018/1725.

## **9. When will we start the processing operation?**

You will be informed about the starting date of the processing operation in the respective specific data protection notice.

## **10. How long do we keep your data?**

The contractor will keep the data until the end of the respective specific contract with FRA, latest until 6 months after the end of Framework contract 21-3030- 03 FWC 1 in August 2025. After this date, all personal data will be deleted.

## **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 [planning@fra.europa.eu](mailto:planning@fra.europa.eu).

### **11.1. The value of your consent**

Your participation in the interviews, focus groups discussions, and surveys is voluntary and you can discontinue your participation at any time or refuse to answer any question without consequence of any kind and without giving a reason.

Moreover, since interviews and focus groups might take place online, participants will be informed by email about the fact that by switching on their cameras they consent to the processing of the special categories of data mentioned in section 2 in the way indicated in this notice. At the beginning of the meeting, participants will be informed again before the start. In case your participation is audio and/or video recorded, you will be informed and requested to provide prior consent.

### **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 an 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. We keep your data stored on our internal servers with limited access to a specified audience only.

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, and 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](mailto:planning@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. 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.

**END OF DOCUMENT**