

**RECORD OF PROCESSING ACTIVITY
ACCORDING TO ARTICLE 31 REGULATION 2018/1725¹
NOTIFICATION TO THE DATA PROTECTION OFFICER**

NAME OF PROCESSING OPERATION²: 'Background research on National Parliament Focal Points'

Reference: DPR-2020-095
Creation date of this record: 27/02/2020
Last update of this record: 06/03/2020
Version: 1

1) Controller(s)³ of data processing operation (Article 31.1(a))
Controller: European Union Agency for Fundamental Rights (FRA) Organisational unit responsible⁴ for the processing activity: Contact person: Andreas Accardo [REDACTED] Data Protection Officer (DPO): Robert Jan Uhl dpo@fra.europa.eu

2) Who is actually conducting the processing? (Article 31.1(a))⁵
The data is processed by the FRA itself <input checked="" type="checkbox"/>
The data is processed also by a third party (contractor) <input type="checkbox"/>
Contact point at external third party (e.g. Privacy/Data Protection Officer):

3) Purpose of the processing (Article 31.1(b))

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018R1725>

² **Personal data** is any information relating to an identified or identifiable natural person, i.e. someone who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity. This information may, for example, be the name, date of birth, a telephone number, biometric data, medical data, a picture, professional details, etc.

Processing means any operation or set of operations which is performed on personal data, whether or not by automatic means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

³ In case of more than one controller (e.g. joint FRA research), all controllers need to be listed here

⁴ This is the unit that decides that the processing takes place and why.

⁵ Is the FRA itself conducting the processing? Or has a provider been contracted?

Why are the personal data being processed? Please provide a very concise description of what you intend to achieve with the processing operation. Specify the rationale and underlying reason for the processing and describe the individual steps used for the processing. If you do this on a specific legal basis, mention it as well (e.g. staff regulations for selection procedures).

The objective of the project is to carry out interviews with members of the current National Parliament Focal Point Network. The research findings are intended to support the EU Agency for Fundamental Rights in assessing the functioning of the existing network and the needs of fundamental rights support by national parliaments. The interviews will support further cooperation by the FRA with national parliaments. FRA will base the planning of meetings with NPFs hosted by the FRA in 2020 and 2021 on the outcome of the interviews and might develop a short guide on cooperation with national parliaments depending on the outcome of the interviews.

4) Description of the categories of data subjects (Article 31.1(c))

Whose personal data are being processed?

- | | |
|---|-------------------------------------|
| FRA staff | <input type="checkbox"/> |
| Non-FRA staff (employees and members of National Parliaments) | <input checked="" type="checkbox"/> |

5) Categories of personal data processed (Article 31.1(c))

Please tick all that apply and give details where appropriate. Include information if automated decision making takes place, evaluation and monitoring

(a) General personal data:

The personal data contains:

- | | |
|--|-------------------------------------|
| Personal details (<i>name, surname, country of origin</i>) | <input checked="" type="checkbox"/> |
| Contact details (<i>office address, email address, telephone number</i>) | <input checked="" type="checkbox"/> |
| Education & Training details | <input type="checkbox"/> |
| Employment details (<i>position/ function, organisation</i>) | <input checked="" type="checkbox"/> |
| Financial details (e.g. financial identification form, bank account information) | <input type="checkbox"/> |
| Family, lifestyle and social circumstances | <input type="checkbox"/> |
| Goods or services provided | <input type="checkbox"/> |
| Other (please give details): | |

(b) Sensitive personal data (Article 10)

The personal data reveals:

Racial or ethnic origin	<input type="checkbox"/>
Political opinions	<input type="checkbox"/>
Religious or philosophical beliefs	<input type="checkbox"/>
Trade union membership	<input type="checkbox"/>
Genetic, biometric or data concerning health	<input type="checkbox"/>
Information regarding an individual's sex life or sexual orientation	<input type="checkbox"/>

6) Recipient(s) of the data (Article 31.1 (d))⁶
*Recipients are all parties who have access to the personal data. Who will have access to the data **within** FRA? Who will have access to the data **outside** FRA?*

Designated FRA staff members (INST unit, project team members)	<input checked="" type="checkbox"/>
Designated persons outside FRA: (please specify)	<input type="checkbox"/>

7) Transfers to third countries or recipients outside the EEA (Article 31.1 (e))⁷
If the personal data are transferred outside the European Economic Area, this needs to be specifically mentioned, since it increases the risks of the processing operation.

Data are transferred to third country recipients:	
Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>
If yes, specify to which country:	
If yes, specify under which safeguards:	
Adequacy Decision of the European Commission	<input type="checkbox"/>
Standard Contractual Clauses	<input type="checkbox"/>

⁶ No need to mention entities that may have access in the course of a particular investigation (e.g. OLAF, EO, EDPS).

⁷ **Processor** in a third country using standard contractual clauses, a third-country public authority you cooperate with based on a treaty. If needed, consult your DPO for more information on how to ensure safeguards.

Binding Corporate Rules

Memorandum of Understanding between public authorities

8) Retention time (Article 4(e))

How long will the data be retained and what is the justification for the retention period? Please indicate the starting point and differentiate between categories of persons or data where needed (e.g. in selection procedures candidates who made it onto the reserve list vs. those who didn't). Are the data limited according to the adage "as long as necessary, as short as possible"?

The data will be kept for up to 2 years after the interview.

9) Technical and organisational security measures (Article 31.1(g))

Please specify where/how the data are stored during and after the processing; please describe the security measures taken by FRA or by the contractor

How is the data stored?

Document Management System (DMS)

Outlook Folder(s)

CRM

Hardcopy file

Cloud (give details, e.g. cloud provider)

Servers of external provider

10) Lawfulness of the processing (Article 5(a)–(d))⁸: Processing necessary for:

⁸ Tick (at least) one and explain why the processing is necessary for it. Examples:

(a) a task attributed to your EUI by legislation, e.g. procedures under the staff regulations or tasks assigned by an Agency's founding regulation. Please mention the specific legal basis (e.g. "Staff Regulations Article X, as implemented by EUI IR Article Y", instead of just "Staff Regulations")

(a2) not all processing operations required for the functioning of the EUIs are explicitly mandated by legislation; recital 17 explains that they are nonetheless covered here, e.g. internal staff directory, access control.

(b) a specific legal obligation to process personal data, e.g. obligation to publish declarations of interest in an EU agency's founding regulation.

(c) this is rarely used by the EUIs.

Mention the legal basis which justifies the processing and assess that the purposes specified are purposes specified, explicit, legitimate?

- (a) a task carried out in the public interest or in the exercise of official authority vested in the FRA (including management and functioning of the institution)
FRA Founding Regulation (EC) No. 168/2007, in particular Articles 4(1) (a) and 8(2)(a)
- (b) compliance with a legal obligation to which the FRA is subject
- (c) necessary for the performance of a contract with the data subject or to prepare such a contract
- (d) Data subject has given consent (ex ante, explicit, informed)
Describe how consent will be collected and where the relevant proof of consent will be stored
- (e) necessary in order to protect the vital interests of the data subjects or of another natural person

11) Data Minimisation(Article 4(c))

Do you really need all data items you plan to collect? Are there any you could do without?

Only necessary data are collected/kept.

12) Transparency (Article 14)

How do you inform people about the processing operation and how can they contact you?

Interviewees will sign a consent form before the interview is conducted and will receive ahead of the interview a privacy notice indicating their rights and the way they can exercise them.

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- (d) if persons have given free and informed consent, e.g. a photo booth on EU open day, optional publication of photos in internal directory;
(e) e.g. processing of health information by first responders after an accident when the person cannot consent.

13) Exercising the rights of the data subject (Article 14 (2))

How can people contact you if they want to know what you have about them, want to correct or delete the data, have it blocked or oppose to the processing? How will you react?

See privacy statement: e-mail to national-parliament@fra.europa.eu:

Data subject rights:

- | | |
|--|--|
| Right to have access | <input checked="" type="checkbox"/> Anytime [or specify the timeframe] |
| Right to rectify | <input checked="" type="checkbox"/> Anytime [or specify the timeframe] |
| Right to erase ("right to be forgotten) | <input checked="" type="checkbox"/> Anytime [or specify the timeframe] |
| Right to restrict of processing | <input checked="" type="checkbox"/> Anytime [or specify the timeframe] |
| Right to data portability | <input checked="" type="checkbox"/> Anytime [or specify the timeframe] |
| Right to object | <input checked="" type="checkbox"/> Anytime [or specify the timeframe] |
| Right to obtain notifications to 3 rd parties | <input checked="" type="checkbox"/> Anytime [or specify the timeframe] |
| Right to have recourse | <input checked="" type="checkbox"/> Anytime [or specify the timeframe] |
| Right to withdraw consent at any time | <input checked="" type="checkbox"/> Anytime [or specify the timeframe] |

14) High risk identification

Does this process involve any of the following?

- data relating to health, (suspected) criminal offences or otherwise considered sensitive ('special data categories');*
- evaluation, automated decision-making or profiling;*
- monitoring data subjects;*
- new technologies that may be considered intrusive.*

If yes provide details

N/A

15) Other linked documentation

Please provide links to other documentation of this process (consent form, privacy notice, project documentation, security related policies /measures, threshold assessment or DPIA etc.)

Privacy Notice

Consent Form

Responsible

Signature

Date

Head of Institutional cooperation and Networks Unit
Andreas Accardo