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EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS

DATA PROTECTION NOTICE

Preliminary Medical and Vulnerability Checks during Screening of Third-Country Nationals: fundamental rights considerations- Pilot interviews

The European Union Agency for Fundamental Rights (FRA or Agency) processes the personal data of a natural person in compliance with Regulation (EU) 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 it sets forth your privacy rights. We recognise that information privacy is an ongoing responsibility, and we will update this notice where necessary.

FRANET Contractors are national research entities in EU Member States that form the European Union Agency for Fundamental Rights' (FRA) multidisciplinary research network. These contractors, selected through framework contracts, provide the FRA with objective, comparable, and reliable data on fundamental rights issues within their countries. This data facilitates the FRA's comparative analyses, thematic studies, and annual Fundamental Rights Reports, covering various topics such as discrimination, access to justice, data protection, and other issues protected by the EU Charter of Fundamental Rights.

For more detailed information on the processing of your personal data in the context of FRA projects within FRANET framework contracts, please consult our General Record of processing activities

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1. Why do we process personal data?

The purpose of the processing of the personal data is to collect information and data for a research project on the "**Preliminary Medical and Vulnerability Checks during Screening of Third-Country Nationals: fundamental rights considerations".**

The research aims to examine the practical implementation of preliminary medical and vulnerability checks across several EU Member States and assess their effectiveness in identifying health needs, vulnerabilities and specific protection concerns. Particular attention will be paid to the identification of non-visible vulnerabilities, referral mechanisms, safeguards for vulnerable persons, including unaccompanied children, cooperation between actors involved in screening, and factors affecting the quality and consistency of implementation. The study will also identify operational challenges and promising practices that may contribute to a fundamental rights-compliant implementation of screening procedures.

This project (FRANET Service Request 71) entails focus groups discussions and interviews carried out by FRANET[1] contractors across the six Member States: Bulgaria, Czechia, Greece, Italy, Lithuania, Slovenia. The information collected will feed into the preparation of a report to be published in 2027.

Interviews and focus groups will be conducted face-to-face. Where this is not possible for justified reasons, interviews will instead be conducted online.

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 for professionals:

- Personal details (name, surname).
- Contact details (email address, phone number).
- Employment details (position/function, organisation, work experience).
- Other:
  - As interviews will be audio recorded (with the participant's consent) when conducted face-to-face, or video recorded (with the participant's consent) when conducted online, for quality assurance purposes and to enable automated transcription and translation, the participant's voice and/or image may be processed.
  - [*TO BE ADDED OR REMOVED BY THE RESPECTIVE FRANET CONTRACTOR IF APPLICABLE*: if the interviews with the relevant persons take place online, IP addresses, cookies, metadata or information about participants' devices might be collected by the online

[1] FRANET contractors covering all EU Member States have been selected by FRA following a public procurement procedure to provide data collection and research services on fundamental rights issues.

tool *[insert here the name of the online tool and, if available, the link to the respective privacy notice of the tool provider*] used to carry out the interview.]

- Opinions or other personal data and information disclosed during the interviews: this is the information that interviewees will disclose to interviewers in the course of interviews.

(b) General personal data for third country nationals:

- Personal details (name or pseudonym).
- Nationality
- Other:
  - As interviews will be audio recorded (with the participant's consent) the participant's voice may be processed.
  - Opinions or other personal data and information disclosed during the interviews: this is the information that interviewees will disclose to interviewers in the course of interviews.

(b) Special categories of personal data may be incidentally revealed during the interviews (both by the responses of participants and through the image showed during online interviews):

- data revealing racial or ethnic origin
- political opinions
- religious or philosophical beliefs
- genetic data, biometric data, data concerning health

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

3a. Information you provide us:

We collect your personal data mentioned above directly from you through the consent form that will be provided to you before the interview, and during the interviews using a semi-structured questionnaire, which will be conducted by FRA's six FRANET contractors through digital channels (e.g. video call) [FRANET contractor to insert the name of the online tool] or face-to-face, in the countries covered by the research (see Section 1 above).

For quality assurance purposes and (AI-powered) automated transcription and translation, interviews will be audio- and/or video-recorded upon your consent. *[TO BE ADJUSTED/ADDED BY THE RESPECTIVE FRANET CONTRACTOR:* The transcription and translation will be done through the European Commission's eTranslation and Speech-to-Text tools. For more information on the tools, see the European Commission's data protection record. / [in case of other tools being used, please adjust accordingly, after obtaining FRA's agreement of their use.] To minimize the processing of personal data through these tools, FRANET will not record the initial introduction by the interviewee as well as not refer to their name during the recorded interview. It will also remove personal data from the transcript prior to the translation, and delete the files from the system as soon as the transcription and translation are completed. At any point during the interview, you

can indicate that you do not wish to be recorded; in that case, the interviewers will immediately stop the recording and will only take notes.

The audio-files will be submitted to FRA via a secure fileshare system provided by FRA. The published FRA report based on the interviews will not contain personal data or information that may lead to the identification of the interviewees and all recordings will be destroyed as indicated in section 10 below.

3b. Information we collect about you:

Your IP address, connection details, cookies, and/or device information might be collected if the interviews take place online, as indicated in Section 2 above. In this context, FRANET contractors are requested to inform interviewees before the interview takes place about which online conferencing tool they will use for the interview as well as if the AI-powered feature option to transcribe the interview is activated and to provide a link to the tool's website where the tool's data protection policy can be found.

3c. Information we receive from other sources:

FRA and FRANET will undertake desk research to find the contact details of the persons to be interviewed by searching online for publicly available contact details, or obtain this information from authorities of the respective EU Member State or other organisations or entities. They may also collect this information from FRA's and FRANET's professional networks, including the FRA National Liaison Officers.

4. Who is responsible for processing your personal data?

The Agency is the legal entity responsible for the processing of your personal data and determines the objective of this processing activity. The Head of the 'Justice, Digital and Migration' Unit is responsible for this processing operation.

The FRANET contractors in the selected Member States will act as FRA's data processors and will collect the data on behalf of FRA as specified under section 3 above.

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

The processing operation is carried out in the public interest and it is necessary to achieve the Agency's objective, as stated in Article 2 of its founding Regulation (EC) No 168/2007, amended by Council Regulation (EU) 2022/555 (FRA's founding regulation), to provide its stakeholders, including Union institutions and EU Member States, with assistance and expertise relating to fundamental rights, including its tasks described in Article 4 (1)(a), (c) and (d). The project is also included in FRA's Single Programming Document 2026 – 2028 under Fiche E.2.3 (Tailor-made advice to Member States), available here.

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

In addition, since participating in the above-mentioned interviews and focus groups is not mandatory, we will request your consent to participate by means of a consent form, to the audio and/or video recording of the interviews as well as for the (AI-powered) automatic transcription and translation of the online interviews. Your explicit consent will also be asked for the processing of special categories of personal data that may incidentally be revealed during the interview.

Therefore, the processing of the personal data is also in accordance with Article 5.1.(d) of Regulation (EU) No 2018/1725.

The incidental processing of special categories of data (e.g. video revealing racial/ethnic origin) is lawful under Article 10(2)(a) of Regulation (EU) 2018/1725. Explicit consent will be requested on the consent form.

6. Who can see your data?

Access is restricted to authorised staff members and only these members have access rights to open the files. Furthermore, the reporting templates, recordings, transcripts and translations shared with FRA will not include your name or affiliation. The consent forms shared with FRA will not include any references to these documents.

7. Do we share your data with other organisations?

Personal data is processed by the Agency only. In case 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 Organisations?

Your data will not be transferred to third countries or International Organisations.
OR, IF APPLICABLE, TO BE ADDED OR REMOVED BY THE RESPECTIVE FRANET CONTRACTOR: The online tool [*to be completed*] used to carry out the interviews is from a US based company, therefore it cannot be completely discarded that limited personal data are transferred to the US. Such transfer, if any, will fall under the adequacy decision for the EU-US Data Privacy Framework adopted by the European Commission on 10 July 2023].

9. When will we start the processing operation?

We will start the processing operation in October 2026.

10. How long do we keep your data?

The personal data referred to in section 2 above, as well as the consent forms and audio/video recordings of the interviews, will be kept for 24 months after the final date of implementation of the project indicated in the respective FRANET contracts, to be able to use the data when drafting the comparative report. All data held by FRA and contractors will then be deleted. Anonymised research material, e.g. reporting templates, will be kept indefinitely.

11. How can you control your data?

Under Regulation (EU) 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: migration@fra.europa.eu

11.1. The value of your consent

Since your participation is not mandatory, we need proof that you consented to participate in the interview as well as to the audio and/or video recording and the (AI-powered) automatic transcription and translation of the online interview, including if the live caption option for speech-to-text is activated, as well as to the incidental processing of special categories of personal data. Consent will be collected via a separate consent form or via audio/video recording consent. You have the right to withdraw your consent at any time, and we will either delete your data or restrict or stop its processing. All processing operations up until the withdrawal of consent will still be lawful.

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 has 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 is 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 (EU) 2018/1725 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 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.

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

a) Data subjects can reach out directly to the Agency by sending an email migration@fra.europa.eu and ask us to take action.

b) If you obtain no reply from the Agency or if you are not satisfied with it, contact the FRA Data Protection Officer (DPO) at dpo@fra.europa.eu.

c) You can lodge a complaint with the European Data Protection Supervisor (EDPS) at any time at https://www.edps.europa.eu/data-protection/our-role-supervisor/complaints_en, 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.

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Electronically signed on 15/10/2026 08:43 (UTC+02) in accordance with Article 11 of Commission Decision (EU) 2021/2121