

***Consultation of stakeholders in the context of the specific contracts 21-3030-03/ FWC 4 / FRA / nr 12
' Looking Ahead: Interim Assessment of the FRA Strategic Plan 2023-2028'***

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 (henceforth "the Regulation").

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.

For more detailed information on the processing of your personal data in the context of FRA evaluation projects within framework contract 21-3030-03/ FWC 4, please consult the corresponding [Record of Processing Activities](#).

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1. Why do we process personal data?

A selected number of stakeholders from within and outside FRA, including FRA staff, 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.

This is done in the context of facilitating the operations of performance reporting, evaluation and assessment of FRA activities and strategy.

The scope of the consultations will be to include a stakeholder perspective in the context of the contract “Looking ahead: Interim Assessment of the FRA Strategy 2023-2028.” The main objective is to conduct a forward-looking interim assessment of the Strategic Plan 2023-2028. The assessment will offer insights into emerging trends, evolving challenges, and strategic opportunities, ensuring that FRA's strategic direction remains adaptable and aligned with the changing fundamental rights landscape and EU policy context. While the assessment will review progress to date, its primary focus will be to identify areas for strategic adjustment and provide recommendations that enhance the effectiveness and relevance of the Strategic Plan for the remaining period.

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 external contractor (“data processor” or “contractor”) Deloitte Belgium S.A. and FGB srl SB, 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:

- Personal details (name, surname)
- Contact details (email address, mobile number)
- Employment details (function, work experience, opinions)
- Other:
 - Recordings of interviews and focus groups - we will ask for consent to record and will only take written notes if the person does not consent to be recorded.
 - In the context of the online stakeholder consultations, IP addresses, cookies, metadata or information about participants' devices might be collected by the online tools (MS Teams as indicated below).
 - In the context of interviews, focus group discussions and online surveys, opinions provided by the stakeholders in their answers will be processed.

(b) Special categories of personal data:

- When interviews with stakeholders take place online, racial or ethnic origin, political opinions and/or religious or philosophical beliefs might be incidentally revealed by the video image when participants switch on their cameras

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 contact details will be shared with the external contractor, Deloitte Consulting & Advisory CVBA and FGB srl SB (henceforth the contractor), for the implementation of the necessary interviews, focus groups and surveys.

In this regard, stakeholders will be invited to respond to the online surveys, focus group discussions, and semi-structured interviews. Responses will not be recorded by the contractor, without previous consent of the respondent. If the respondent will not consent to it, responses will be only assessed based on notes taken during the interview or focus group discussion.

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 interviews and focus group discussions, Deloitte Belgium S.A. and FGB srl SB will use [Microsoft Teams](#) (MS Teams). The contractor has a standard MS Teams license for businesses.

For online surveys, FRA's contractor will use [EU Survey](#) 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).

3c. Information we receive from other sources

The 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 Administration Unit is responsible for this processing operation.

Deloitte Consulting & Advisory CVBA, Gateway building, Luchthaven Brussel Nationaal 1J, 1930 Zaventem, Belgium [Deloitte Belgium | Audit, Consulting, Financial, Risk Management, Tax Services](#), and FGB srl SB via Goito 39, 00185 Italy, www.fondazionebrodolini.it/en, will act as FRA's data processors and will process data on behalf of FRA, as specified under section 1 above.

Moreover, third parties indicated above (MS Teams, EUSurvey) also process your personal data on behalf of FRA, acting as FRA's sub-processors. Please refer to the data protection notices indicated above.

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

Stakeholder consultation for the assessment of FRA's strategy 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.

In addition, since the participation to the interviews is not mandatory, respondents will be asked to provide their consent via e-mail. Moreover, respondents are requested their consent for the audio recording of the interview, for quality control purposes. Such processing of personal data is lawful under Article 5.1.(d) of 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 or data concerning health when stakeholders switch their cameras on during online consultations is lawful under Article 10(2)(a) of the same Regulation, as explicit consent is given by the data subjects.

6. Who can see your data?

The contact details of the selected FRA stakeholders members, as well as selected FRA staff will be shared by FRA with the designated staff of the external contractor. The designated staff of the contractor will have access to the personal data as well as to the data collected via the online surveys and the interviews. The responses provided will only be available to and assessed by the contractor. No third parties will have access to the responses prior to anonymisation. However, FRA might request access to the raw data for quality control purposes.

As processor, the contractor and its staff 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.

7. Do we share your data with other organisations?

Personal data is processed by the Agency and the contractor. 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?

No. However, as Microsoft is a US-based company and it is subject to US Surveillance laws, transfers of limited personal data to the US cannot be completely discarded. Such transfers, if any, fall under the adequacy decision for the EU-US Data Privacy Framework adopted by the European Commission on 10 July

2023. Furthermore, any transfer of data to the UK falls under the adequacy decision for the EU-UK adequacy decision adopted by the European Commission on 28 June 2021.

With respect to the online survey tool (EU Survey) used by the contractor (Deloitte, FGB), all survey data will be stored in the EU. All personal data are stored on the servers of the European Commission's Data Centre. All processing operations are carried out pursuant to the Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission. Full name and Email address are data retrieved by an automatic process from EULogin and the European Commission's Central User Database, which is stored at the Data Centre of the European Commission. The Data Centre of the European Commission is bound to comply with Regulation (EU) N° 2018/1725 and with any Commission's security decision and provision established by the Directorate General of Security and Human Resources for this kind of servers and services.

9. When will we start the processing operation?

We will start the processing operation in March 2025.

10. How long do we keep your data?

The contractor will keep the data until 31/12/2025. 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 and/or to dpo@fra.europa.eu.

11.1. Do we need your consent?

By accepting the invitation to the MS Teams interview, respondents consent to participate. If they wish to withdraw their consent, they may leave the interview at any time. Responses will not be recorded by the contractor, without previous consent of the respondent. If the respondent does not consent to the recording of the interview, responses will be only assessed based on notes taken during the interview. Similarly, by submitting responses to a survey, respondents automatically consent to the collection of their data. However, this consent may also be explicitly confirmed through the survey's submit button.

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 request to have your data deleted?

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. Will your data be used for 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.

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.

Deloitte Global Information Security Policy and Standards provide appropriate technical and organizational measures for the purpose of protecting the Client Personal Data against accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, Personal Data transmitted, stored or otherwise processed. Deloitte is also holder of ISO 27001 certification - the most recognized global information security standard: <https://resources.deloitte.com/sites/centraleurope/quality/Pages/ISMS-and-BCMS-management.aspx>

Deloitte and our data processors established technological, physical, administrative and procedural safeguards all in line with the industry accepted standards in order to protect and ensure the confidentiality, integrity or accessibility of all personal data processed; prevent the unauthorized use of or unauthorized access to the personal data or prevent a personal data breach (security incident) in accordance with Deloitte CE policies and Data Protection Legislation. Deloitte CE is a holder of ISO 27001 certification – widely recognized global information standard.

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 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.
- c) You can lodge a complaint with the EDPS at any time at <http://www.edps.europa.eu>, and they 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