

### 360 degree evaluations

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?**

We process the personal data in order to carry out a 360 degree feedback exercise for staff holding management and team lead positions. The 360 evaluation gives managers, peers, team members and designated third parties (all from within the FRA postholder population – TA, CA and SNE) the opportunity to give anonymous feedback regarding the observed person across a range of pre-defined competencies through an online survey. The observed persons and FRA can then use this as input to support learning and career development. The feedback about the observed person will be collected by the external contractor [PerformanSe](#) via their own online survey tool. All results will be anonymised for FRA.

### **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, title if indicated)
- Contact details (FRA email address)
- Employment details (category for the purpose of the evaluation exercise: Head of Unit, Head of Sector, peer, team member, third party)

(b) Other:

- Opinions expressed in the survey about the observed person

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

In order to administer the survey, FRA provides the contractor PerformanSe with a list of post-holders (staff members and SNEs), their FRA email address and indication of their category for the purpose of the survey (Head of Unit, Head of Sector, team member, peer, third party).

The contractor will provide respondents with a link to the survey, to which they need to log in using a code that will be sent to them, upon request, via email. Participation in the survey is voluntary and optional. Aggregate results, without revealing the identify of those responding to the survey, will be provided to the observed Head of Sector/Unit/Director as input for their learning and career development. Each Head of Sector/Unit/Director will be paired with a coach, who will guide them on how to interpret and make the best use of their results. Anonymous, aggregate results concerning the groups as a whole (i.e. not at the individual HoU/HoS level) will also be made available to HR and to the Director for the purpose of planning training and organisational development.

3a. Information you provide us:

Your feedback will be provided through an online survey using the tool of PerformanSe.

3b. Information we collect about you:

No IP addresses or cookies are collected/used by the online survey tool of PerformanSe.

3c. Information we receive from other sources:

N/A

#### **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 Administration Unit is responsible for this processing operation.

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

The 360 evaluation is part of the agency's endeavours to provide learning and development to its staff as well as to ensure smooth functioning of the organisation, in accordance with Articles 24a SR and 11 and 81 CEOS and FRA's learning and development guidelines. Therefore, the processing is lawful under Article 5.1.(a) of the Regulation (EU) No 2018/1725.

In addition, since filling in the questionnaire is not mandatory, all participants must explicitly give their consent in the online tool prior to gaining access to the questionnaire. Therefore, the processing of the personal data you provide in the questionnaire is also in accordance with Article 5.1(d) of Regulation (EU) No 2018/1725.

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

A limited number of authorised persons working for the contractor have access to the personal data processed in the online survey tool. This includes relevant IT support functions for the purpose of fixing application issues/bugs. The coaches appointed to work with observed parties (Director/HoU/HoS) after the results of the 360 evaluation and the administrative staff responsible for scheduling the appointments with the coaches have access to the personal data of the observed parties only. Reports on individual observed parties are password-protected and shared with the selected coach via email.

Designated members of the HR & Legal Sector, as well as the Management Team, will have access to two reports containing aggregate results of the 360. No individual reports or survey replies will be shared with FRA or with the observed person.

#### **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 Organizations**

No.

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

We will start the processing operation when the 360 evaluation exercise is launched in February 2026.

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

Personal data will be stored for a period of 12 months from the initiation of the 360 degree assessment. This period allows time to:

- run the survey
- analyse the results and generate reports for each observed person and aggregate result for FRA
- allocate a coach to work with each observed individual on understanding their results and identifying learning and development opportunities;
- provide a debrief session to FRA
- follow up on the development goals identified

After this time period, all personal data will be deleted by the contractor.

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

**11.1. The value of your consent**

Since your participation is not mandatory, we need proof that you consented to the processing of your personal data. Consent will be collected via the online platform before access is granted to the questionnaire. You have the right to withdraw your consent at any time, and we will delete your data or restrict 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 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. The contractor also has security measures in place, in accordance with the framework contract concluded with FRA.

**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 [HR@fra.europa.eu](mailto:HR@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.

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