Report on hate crime reporting

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 privacy 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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PRIVACY NOTICE

1. Why we collect personal data?
The purpose of the processing of your personal data is to conduct an online questionnaire in order to draft FRA’s report on hate crime reporting.

2. What kind of personal data does the Agency collect?
We process the following personal data:
- Contact details (email address)
- Employment details (organisation, country of the organisation)

No personal data other than the name of the organisation will be contained in the published report(s) or generally in the public domain.

3. How we collect your personal data?
You have agreed to be contacted by the Agency in the frame of consultations when you became a member of the Fundamental Rights Platform and had therefore provided your contact details. Via the questionnaire you may provide us with your email address, your organisation and country where it is established.

4. Who is responsible for the processing of 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 Technical Assistance & Capacity Building Unit is responsible for this processing operation.

5. Which is the legal basis for this processing operation?
The processing operation is necessary to achieve the Agency’s goal, as stated in Article 2 of its founding Regulation (EC) No 168/2007 to provide its stakeholders, including Union institutions and EU Member States, with assistance and expertise relating to fundamental rights in order to support them when they take measures or formulate courses of action within their respective spheres of competence to fully respect fundamental rights, in this case in particular in the area of hate crime, including its tasks described in Article 4(1)(a) and is therefore lawful under Article 5(a) of the Regulation (EU) No 2018/1725.

6. Who can see your data?
The filled out questionnaires may be kept in outlook folders of designated FRA staff, trainees and study visitors working on the topic of hate crime and in the FRA’s Document Management System (DMS). While most of those colleagues will be assigned to the Technical Assistance & Capacity Building Unit, also staff in other units who work on the same topic may be granted access to it, given FRA’s horizontal programme and project structure.

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 about whom your personal data has been shared with.
8. Do we intend to transfer your personal data to Third Countries/International Organisations?

No

9. When will we start the processing operation?

We will start the processing operation for the above-mentioned purpose in January 2020.

10. How long do we keep your data?

Data collected via the questionnaire, will be stored for a period of 5 years. All electronical and physical copies containing personal data will then be destroyed.

11. Your data protection rights

Under Regulation 2018/1725, you have rights and we have an obligation to make you aware of these rights. The rights available to you may vary depending on our reason for processing your information.

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.

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, at any time and free of charge, by sending an email request to hatecrime@fra.europa.eu.

b) Can you modify your data?

You have the right to ask us to rectify your data that you think is inaccurate or incomplete at any time by sending an email request to hatecrime@fra.europa.eu.

c) Can you restrict us from processing your data?

You have the right to block the processing of your personal data at any time by sending an email request to hatecrime@fra.europa.eu when you contest the accuracy of your personal data or when the Agency no longer needs the data for completing its tasks. You can also block the processing activity when the operation is unlawful, and when you oppose to the erasure of the data.

d) Can you delete your data?

You have the right to ask us to delete your data at any time by sending an email request to hatecrime@fra.europa.eu 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.
PRIVACY NOTICE

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) Do you have the right to object?
Yes, you have the right to object at any time by sending an email request to hatecrime@fra.europa.eu in case you have legitimate reasons relating to your particular situation. Moreover, you will be informed before your information is disclosed for the first time to third parties, or before it is used on their behalf, for direct marketing purposes.

f) Can you request the transfer of your data to a third party?
This only applies to information you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another, or give it to you. The right only applies if we are processing information based on your consent or for the performance of a contract or for entering into a contract and the processing is automated.

g) Do we do automated decision making, including profiling?
No, we do not apply any automated decision making, including profiling.

12. What security measures are taken to safeguard your personal data?
The Agency has in place several security controls 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. Access is based on rule-based accounts and involved staff have their own account. Furthermore, there is an audit trail function available.

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 hatecrime@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) At any time you can lodge a complaint with the European Data Protection Supervisor at http://www.edps.europa.eu, who will examine your request and adopt the necessary measures.

14. How do we update our privacy notice?
We keep our privacy notice under regular review to make sure it is up to date and accurate.

END OF DOCUMENT