

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

NAME OF PROCESSING OPERATION²:

FRA consultative event on EU funds & fundamental rights

Reference number: DPR-2022-172 (to be completed by the DPO)
Creation date of this record: 28/10/2022
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Version: 1.0

Part 1 (Publicly available)

1) Controller(s)³ of data processing operation (Article 31.1(a))
<p>Controller: European Union Agency for Fundamental Rights (FRA) Schwarzenbergplatz 11, A-1040 Vienna, Austria Telephone: +43 1 580 30 – 0 Email: contact@fra.europa.eu Organisational unit responsible⁴ for the processing activity: Contact details: Institutional Cooperation & Networks Unit, EUfunds@fra.europa.eu Data Protection Officer (DPO): dpo@fra.europa.eu</p>

2) Who is actually conducting the processing? (Article 31.1(a))⁵
<p>The data is processed by the FRA itself <input checked="" type="checkbox"/></p> <p>The data is processed also by a third party (contractor) <input checked="" type="checkbox"/></p>

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?

European Commission (as processor, the event is organised by FRA, the Commission is providing premises only)

Contact point at external third party: data-protection-officer@ec.europa.eu

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

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).

FRA is organizing a consultative event on EU funds & fundamental rights, which will feed into a report on the role of national bodies with a human rights remit in the monitoring of EU funds (to be published in 2023). This event will take place on the premises of the European Commission. We will need to process the personal data of participants to invite them to the event, register them, allow them to enter the premises of the European Commission and to be able to share the meeting report with them.

We will compile a list of participants, based either on contact information (e-mails, etc.) shared with us by other individuals or organisations who may suggest you may be interested in participating in the event, or shared by you with us directly, and ask you to register for the event by e-mail. This information will be placed on FRA's internal systems. We will also ask you to sign a presence form at the event. We will also compile a list of participants to be shared with the European Commission in order to allow entry to the Commission premises.

You can see how the European Commission will process your personal data to allow you entry to the Commission premises by consulting their data protection notice [here](#).

There will also be a report of the event. This report will not contain data which may identify you; however, we may, with your explicit consent, collected by e-mail, include quotes from participants in the meeting report. The name and type of your organisation will be mentioned in this report.

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

Whose personal data are being processed?

FRA staff

Non-FRA staff (meeting participants, staff of the European Commission)

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

Please tick all that apply and give details where appropriate

(a) General personal data (add or delete as appropriate – the data in the brackets are only examples)

- Personal details (name, surname, date of birth, nationality)
- Contact details (email address, phone number)
- Education & Training details
- Employment details (name and type of employer or organisation you are affiliated with)
- Financial details
- Family, lifestyle and social circumstances
- Goods or services provided
- Other: passport or ID number, expiry date of passport or ID

(b) Special categories of personal data (Article 10)

The personal data collected reveal:

- Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- Genetic, biometric or data concerning health
- Information regarding an individual's sex life or sexual orientation
- N/A

(c) Personal data relating to criminal convictions and offences (Article 11)

- Criminal record (or similar, e.g. declaration of good conduct)
- N/A

6) Recipient(s) of the data (Article 31.1 (d))

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

Designated **FRA** staff members

FRA staff members involved in the organisation of the event (in particular within the Institutional Cooperation & Networks Unit).

Recipients **outside** FRA:

For the purposes of allowing entry into the premises of the European Commission, staff of the European Commission will be handed a list of participants with identifying data, in particular: last name, first name, e-mail address, nationality, date of birth, number of identity document (passport or other identification document), including the expiry date of this document, and (optionally) the organisation they work for/are affiliated with and their mobile phone number. This data is processed in line with the following Commission data protection notice:

[privacy statement physical access control system pacs en.pdf \(europa.eu\)](#)

The Commission data protection officer can be contacted at: data-protection-officer@ec.europa.eu

7) Transfers to third countries or international organisations (Article 31.1 (e))⁶

If the personal data are transferred outside the European Economic Area or to international organisations, this needs to be specifically mentioned, since it increases the risks of the processing operation.

Transfer outside of the EU or EEA

Yes

No

If yes, specify to which country:

Transfer to international organisation(s)

Yes

No

If yes specify to which organisation:

⁶ **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.

Legal base for the data transfer

- Transfer on the basis of the European Commission's adequacy decision (Article 47)
- Transfer subject to appropriate safeguards (Article 48.2 and .3), specify:
- a) A legally binding and enforceable instrument between public authorities or bodies.
Standard data protection clauses, adopted by
 - b) the Commission, or
 - c) the European Data Protection Supervisor and approved by the Commission, pursuant to the examination procedure referred to in Article 96(2) .
 - d) Binding corporate rules, Codes of conduct , Certification mechanism pursuant to points (b), (e) and (f) of Article 46(2) of Regulation (EU) 2016/679, where the processor is not a Union institution or body.

Subject to the authorisation from the European Data Protection Supervisor:

- Contractual clauses between the controller or processor and the controller, processor or the recipient of the personal data in the third country or international organisation.
- Administrative arrangements between public authorities or bodies which include enforceable and effective data subject rights.
- Transfer based on an international agreement (Article 49), specify:

Derogations for specific situations (Article 50.1 (a) –(g))

- N /A
- Yes, derogation(s) for specific situations in accordance with article 50.1 (a) –(g) apply
In the absence of an adequacy decision, or of appropriate safeguards, transfer of personal data to a third country or an international organisation is based on the following condition(s):
- (a) The data subject has explicitly consented to the proposed transfer, after having been informed of the possible risks of such transfers for the data subject due to the absence of an adequacy decision and appropriate safeguards
 - (b) The transfer is necessary for the performance of a contract between the data subject and the controller or the implementation of pre-contractual measures taken at the data subject's request
 - (c) The transfer is necessary for the conclusion or performance of a contract concluded in the interest of the data subject between the controller and another natural or legal person
 - (d) The transfer is necessary for important reasons of public interest
 - (e) The transfer is necessary for the establishment, exercise or defense of legal claims
 - (f) The transfer is necessary in order to protect the vital interests of the data subject or of other persons, where the data subject is physically or legally incapable of giving consent
 - (g) The transfer is made from a register which, according to Union law, is intended to provide information to the public and which is open to consultation either by the public in general or by any person who can demonstrate a legitimate interest, but only to the extent that the conditions laid down in Union law for consultation are fulfilled in the particular case

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 information collected by the Agency will be kept until March 2023 to allow a report of the event to be drawn up and shared with the participants.

The Commission will delete the data in accordance with its own regulations on entry into its buildings, which can be found here:

[privacy statement physical access control system pacs en.pdf \(europa.eu\)](#)

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)

FRA network shared drive

Outlook Folder(s)

CRM

Hardcopy file

Cloud (FRA Teams/NextCloud, link to data protection notice [here](#))

Servers of external provider

Other (please specify): The servers of the European Commission, please see *Commission data protection statement regarding access to its premises:* [privacy statement physical access control system pacs en.pdf \(europa.eu\)](#)

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10) 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 further details in the Data Protection notice: e-mail to EUfunds@fra.europa.eu

Data subject rights

- Right of access
- Right to rectification
- Right to erasure (right to be forgotten)
- Right to restriction of processing
- Right to data portability
- Right to object
- Notification obligation regarding rectification or erasure of personal data or restriction of processing
- Right to have recourse
- Right to withdraw consent at any time

Part 2 – Compliance check and risk screening (internal)

11) Lawfulness of the processing (Article 5(a)–(e))⁷: Processing necessary for:
Mention the legal basis which justifies the processing and assess that the purposes specified are purposes specified, explicit, legitimate.

⁷ 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.

(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.