

**RECORD OF PROCESSING ACTIVITY  
ACCORDING TO ARTICLE 31 REGULATION 2018/1725<sup>1</sup>  
NOTIFICATION TO THE DATA PROTECTION OFFICER**

**NAME OF PROCESSING OPERATION<sup>2</sup>: Cooperation and consultation with Human Rights Cities**

Reference number: DPR-2022-161
Creation date of this record: 08/06/2022
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Version: 1

**Part 1 (Publicly available)**

<b>1) Controller(s)<sup>3</sup> of data processing operation (Article 31.1(a))</b>
<p>Controller: European Union Agency for Fundamental Rights (FRA)          Schwarzenbergplatz 11, A-1040 Vienna, Austria          Telephone: +43 1 580 30 – 0          Email: <a href="mailto:contact@fra.europa.eu">contact@fra.europa.eu</a>          Organisational unit <b>responsible<sup>4</sup></b> for the processing activity: Institutional Cooperation and Networks unit          Contact details: <a href="mailto:policyanalysis@fra.europa.eu">policyanalysis@fra.europa.eu</a>          Data Protection Officer (DPO): <a href="mailto:dpo@fra.europa.eu">dpo@fra.europa.eu</a></p>

<b>2) Who is actually conducting the processing? (Article 31.1(a))<sup>5</sup></b>
<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) [mention the third party] <input checked="" type="checkbox"/>          (Specify if they are processors or joint controllers)</p>

<sup>1</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018R1725>

<sup>2</sup> **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.

<sup>3</sup> In case of more than one controller (e.g. joint FRA research), all controllers need to be listed here

<sup>4</sup> This is the unit that decides that the processing takes place and why.

<sup>5</sup> Is the FRA itself conducting the processing? Or has a provider been contracted?

The Agency uses MS Teams cloud services and therefore, Microsoft Ireland is the Agency's processor in this case, on the basis of the inter-institutional framework contract signed between DIGIT and Microsoft Ireland for the provision of M365 services, of which the Agency is a part.

Other online tools/systems used for scheduling the meetings, collecting registration and holding online meetings, are separate controllers for the personal data they process. To learn more on how the following tools/systems process their data, data subjects are referred to the privacy policies of:

- Doodle (poll surveys software for the purpose of scheduling meetings):

<https://nextcloud.com/privacy/>

- LimeSurvey (professional online survey tool for collecting registration):

[Privacy policy - LimeSurvey - Easy online survey tool](#)

- Cisco Webex for online meetings and webinars:

<https://www.cisco.com/c/en/us/about/legal/privacy-full.html>

Contact point at external third party (e.g. Privacy/Data Protection Officer – use functional mailboxes, not personal ones, as far as possible): The contact point for the processing operation is the Agency

### 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).*

The purpose of the processing of the personal data is to collect and maintain a contact group list entitled “Human Rights Cities” in FRA Contacts database to support the cooperation of the Agency with this specific group of stakeholders.

The contact group list aims to:

- facilitate the interactions and exchange of information on activities between FRA with human rights cities and other related stakeholders.
- to allow FRA to organise consultations or collecting information related to cities' practices and related activities.
- to organise webinars, online and/or in person meetings to discuss cooperation activities and inform about FRA work.

FRA cooperation with human rights cities contributes to the Agency's activities at the national level. FRA cooperation with Human rights cities is included in the FRA Programming document as part of the cooperation with national stakeholders including government bodies at all levels, NHRIs and NEBs. It is also part of the FRA work on the

implementation of the EU Charter of Fundamental Rights and, currently, the integration of displaced persons fleeing the war on Ukraine.

The Agency will send an email to its former human rights cities contact list to ask for review of their personal data and their agreement to be included in the new 'Human Rights Cities' Contact Group list. Meetings will be organised using the aforementioned MS Teams (preferably) and the Cisco Webex online tool. Participants will enter their name and email into the webex system. Only the names and organisation names will be available to other participants. For in person meeting, FRA will collect the data through a registration form in Word the participants wishing to join the meeting. Participants will be asked to indicate in the registration process if they agree to share their email contact to others or not. Registration will be done through online forms using the LimeSurvey tool or Word templates.

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

*Whose personal data are being processed?*

FRA staff

Non-FRA staff

The group of European Human Rights Cities includes mostly cities and other forms of local governments as well as a varied group of stakeholders working in partnerships with these cities.

The contact group list includes:

- Mayors or Vice-Mayors.
- Municipal Staff.
- Academic experts.
- International and European organisations (e.g. OHCHR, CoE).
- City networks.
- Civil society organisations.

#### 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, title)

Contact details ( postal address, email address, mobile and/or telephone number)

Education & Training details

Employment details ( function/title, name and type

of the employer/organisation, address of the employer/ organisation, city and country)

Financial details (financial identification form, bank account information) ((when relevant in the context of in person meeting)

Family, lifestyle and social circumstances

Goods or services provided

Other (please give details):

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

The personal data collected reveal:

Racial or ethnic origin

Political opinions

Religious or philosophical beliefs

Food preferences due to religious beliefs (only in the context of in person meetings organised by FRA)

Trade union membership

Genetic, biometric or data concerning health

Food preferences due to health (only in the context of in person meetings organised by FRA)

Information regarding an individual's sex life or sexual orientation

**(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  
(please specify which team and Unit-no need to mention specifically the names of colleagues)

'Policy analysis and Stakeholder Cooperation' Sector:

- The staff member in charge with the cooperation with human rights cities and the staff member working as back-up (supported, if needed, by other members of FRA).
- The Head of Sector
- The Head of Unit
- Designated staff from other units involved in FRA activities related to human rights cities (events, review of practices, editing and communication)

Recipients **outside** FRA:  
(please provide a generic/functional mailbox)

N/A

Regarding information collected through a survey and questionnaire, on occasions, information requested by FRA can be made available publicly (for instance on FRA's website or other FRA materials such as reports, presentations or social media)– only when it is mentioned specifically and with the consent of the persons concerned. The consent form will specify in such cases the media where the reports/ionformation will be made publicaly available.

## 7) Transfers to third countries or international organisations (Article 31.1 (e))<sup>6</sup>

*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

For the use of MS Teams cloud services, only diagnostic data covered by standard contractual clauses may be sent to Microsoft in the United States. For further information, please refer to the specific Notice on the use of Microsoft Office 365 [here](#).

In the context of the additional online tools/systems used for the sharing of files, and/or online consultations and/or scheduling meetings of the members of the Bodies of the Agency, transfers outside of the EU and EEA might take

<sup>6</sup> **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.

place. Data subjects are referred to the respective privacy policies (see Section 2 above)

No other transfers outside of the EU or EEA will take place.

**If yes, specify to which country:**

***Transfer to international organisation(s)***

Yes

No

If yes specify to which organisation:

***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 retention period of the personal data is 18 months and commences from the moment when data subjects provide consent to include their personal data in the contact group list entitled "Human Rights Cities" in FRA Contacts database to support the cooperation and consultation of the Agency with this specific group of stakeholders.

Every year, a formal request will be sent to the persons in the contact group list asking to renew their consent to be included in the human rights cities contact group or to withdraw their consent, in which case their personal data will be deleted from the contact group (in the absence of response to the relevant FRA request, consent is deemed to have been withdrawn and the personal data will be deleted from the Human Rights Cities contact list).

### 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)	<input checked="" type="checkbox"/>
New CRM	<input checked="" type="checkbox"/>
Hardcopy file	<input type="checkbox"/>
Cloud (Microsoft Teams)	<input checked="" type="checkbox"/>
Servers of external provider	<input type="checkbox"/>
Other (please specify): n/a	

## 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 functional mailbox [policyanalysis@fra.europa.eu](mailto:policyanalysis@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 5.1.(a)–(e))<sup>7</sup>: Processing necessary for:

<sup>7</sup> 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