

Stakeholder Consultation in the context of the Third FRA survey on discrimination and hate crime against Jews in the EU

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 are interested in your insights and expertise regarding the Jewish population in the 13 countries¹ participating in the third survey on discrimination and hate crime against Jews in the EU, an online survey among persons self-identifying as being Jewish on their experiences of and perceptions on Jewish life, antisemitism, hate-crime and discrimination. While gathering information on the Jewish population size and composition, we are processing your personal data (name, contact details, job title/ function, name of organisation) for the purpose of carrying out an expert consultation, internal documentation of the work and quality control. With your consent, your job title/function and organisation will be named (separately) in the technical report of the project for transparency reasons, but your name will not be published.

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.

- Personal details (name and surname)
- Contact details (email address and/or phone number)
- Employment details (Job title/function, name of the organisation)

As stated above, your personal details and contact details will only be processed internally by FRA and its contractor. Job title/function and name of the organisation will (if you consent to it) be published in the technical report for transparency reasons, but in a manner that you personally cannot be identified.

Despite focusing on factual questions, it might be that during the interview you provide us with sensitive data that might reveal political opinions, religious/philosophical beliefs, racial or ethnic origin, etc. This will be part of the data processing.

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

We have obtained your name and contact details through our desk research and professional networks. You will be contacted via email or phone for arranging an interview. The consultations with you will be done in the form of a semi-structured interview (either face-to-face or online) and will mainly revolve around your professional expertise, factual information about the size and landscape of the Jewish population in the survey countries and potential awareness raising channels relevant for the survey. In case of an online interview, you will be informed ahead of time on the tool used and your consent will be requested. The interview will, with your consent, be audio-recorded for note taking purposes.

¹ Austria, Belgium, Czechia, Denmark, France, Germany, Italy, Hungary, The Netherlands, Poland, Romania, Spain, Sweden

Your personal details, contact details and employment information are solely collected for internal documentation purposes, in case further questions arise during project-related activities. They will not be mentioned in any publication.

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 purposes of this processing activity. The Head of the Justice, Digital and Migration Unit is responsible for this processing operation.

The data collection (the stakeholder consultations and the survey itself) is being carried out by Kantar Public (data processor) and its sub-contractors (please see list below), on behalf of the European Union Agency for Fundamental Rights (FRA).

Kantar Info Research Austria	Austria
Kantar Public Belgium	Belgium
Public Opinion Research Centre	Czechia
Kantar Public	Denmark
Kantar Public	France
Kantar Public	Germany
Lexis Ricerche	Italy
Hungarian Social Research Institute	Hungary
Kantar Public	The Netherlands
Kantar Polska S.A.	Poland
Research Institute for Quality of Life	Romania
Kantar Public	Spain
Kantar Public	Sweden
European Union for Progressive Judaism	Thematic expert

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

Data collection through the stakeholder consultation is necessary for the performance of a task carried out in the public interest by Agency. Therefore, the legal basis for this processing operation can be found in Article 4.1.a) and c) of Regulation (EC) 168/2007 (FRA's Founding Regulation). In particular, this activity is foreseen under A.3.1 of FRA's Annual Work Programme 2022. Therefore, the processing is lawful under Article 5.1.(a) of Regulation (EU) No 2018/1725.

Processing of special categories of personal data (if any, as described in section 2 above) is justified for scientific purposes under Article 10(2)(j) of Regulation (EU) No 2018/1725.

In addition, since the participation in the consultation is not mandatory and is based on the consent given by the participants, specifically as regards audio-recording, publishing of the name of the organization and job title or any follow-up purposes, the processing of the personal data is also in accordance with Article 5.1.(d) of Regulation (EU) No 2018/1725.

6. Who can see your data?

Data can be accessed by the responsible head of the unit at FRA, delegated members of the project team, as well as the contractor working for the Agency to manage data collection activities and its subcontractors. A list of organisations participating and a list of job titles/functions of stakeholders consulted will be published for transparency reasons in the technical report, when participants of the consultation have agreed to this.

7. Do we share your data with other organisations?

The personal data, including name, email address and/or phone number will only be used by the Agency's contractor and FRA for the data collection/contacting you and quality assurance. These data will be destroyed after the end of the project and quality control measures have been completed. A list of organisations participating and a list of job titles/functions of stakeholders consulted will be published for transparency reasons in the technical report.

8. Do we intend to transfer your personal data to Third Countries/International Organizations (if applicable)?

No.

9. When we will start the processing operation?

The Agency and its contractor will start the processing operation in September 2022

10. How long do we keep your data?

The Agency and its contractor will be keeping the personal data listed under section 2 until 12 months after the end of the contract between the Agency and the contractor (August 2023). After that, personal information will be destroyed.

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 access, modify or delete your personal data by sending an email request to dpo@fra.europa.eu. More details are provided below.

a. The value of your consent

Since your participation is voluntary and not mandatory, we need proof that you consented to the processing of your personal data. Consent will be collected via a designated consent form, that we would ask you to sign and return a scanned copy via email. 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.

b. Your data protection rights

i. 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.

ii. Can you modify your data?

You have the right to ask us to rectify your data if you think the data are inaccurate or incomplete at any time.

iii. 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.

iv. 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.

v. Are you entitled to data portability?

Data portability is a right guaranteed under Regulation 1725/2018 and consists of 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.

vi. Do you have the right to object?

When the legal basis 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.

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 users only.

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 antisemitism-survey@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 (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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