

PRIVACY NOTICE

[Appraisal of the Director of the European Union Agency for Fundamental Rights](#)

The European Union Agency for Fundamental Rights (FRA) 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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1. Why do we collect personal data?

We collect the data in order to evaluate the achievements of the Director with regard to his/her ability, efficiency and conduct in service upon his/her recruitment (probationary period and on an annual basis).

2. What kind of personal data does the Agency collect?

The Agency collects general categories of personal data related to name, grade, step, personnel number, telephone number, place of employment, function. Because the appraisal exercise is annual, the personal data are accurate and up to date (See Annex).

3. How do we collect your personal data?

Personal data is collected through a self-assessment provided by the Director together with the career development report.

4. Who is responsible for the 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 Corporate Services is responsible for this processing operation.

You can contact our Data Protection Officer at : dpo@fra.europa.eu

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

Processing of personal data in the context of Director appraisal procedures is necessary for the management and functioning of the Agency. Therefore, the processing is lawful under Article 5(a) of the Regulation (EU) No 2018/1725.

Processing of personal data in the context of Director appraisal procedures is also necessary for compliance with a legal obligation of EU law to which the Agency is subject, Regulation (EC) No 1049/2001. Therefore, the processing is lawful under Article 5(b) of the Regulation (EU) No 2018/1725.

Also, since the participation in the appraisal procedures is not mandatory, the processing is lawful under Article 5(d) of the Regulation (EU) No 2018/1725 because “the data subject has unambiguously given his or her consent”.

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6. Who can see your data?

The recipients are the Chairperson given that this is the person with whom the Director has the most frequent work relationship and the European Commission representative due to the Commission's engagement in the selection of the Director, who are acting as reporting officers, and the appeal assessor in case of disagreement.

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 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?

The director of the agency shall be subject to an annual appraisal exercise, organized in the first semester of each calendar year.

10. How long do we keep your data?

The Career Development Report, the Probationary Report and the Management Probationary Period Report are filed in the personal file of the Director. The retention period of the personal files is 20 years after the end of the period during which the Director is in active employment or the last pension payment (See FRA's reply on 28/09/2011 to the EDPS's Joint Opinion 2010-0071).

11. How can you control your data?

You can access, modify or delete your personal data by sending an email request to the Chair of the panel. More details are provided below.

11.1. How valuable is your consent for us?

Since the participation in the appraisal procedures is not mandatory, the processing is lawful because "the data subject has unambiguously given his or her consent". Therefore, you have the right to withdraw your consent at any time, and we will delete your data or restrict its processing.

11.2. Your data protection rights

Under data protection law, you have rights we need to make you aware of. The rights available to you depend on the aim of processing of your information. You are not required to pay any charges for exercising your rights.

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a) Can you access your data?

You have the right to receive confirmation whether or not we process your personal data. 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 the Chair of the panel.

b) Can you modify your data?

You have the right to ask us to rectify - update or correct your data you think is inaccurate or incomplete at any time by sending an email request to documents@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 Chair of the panel 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 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 Chair of the panel when the processing activity is unlawful.

e) 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 under, or in talks about entering into a contract and the processing is automated.

f) Do you have the right to object?

Yes, you have the right to object at any time by sending an email request to Chair of the panel when 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.

The Agency will address your requests within 15 working days from the receipt of the request.

g) Do we do automated decision making, including profiling?

No.

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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 computer systems with limited access to a specified audience only. Physical file is kept in a secure save accessible by a restricted number of HR staff members.

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 Chair of the panel 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 EDPS 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.

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