

**RECORD OF PROCESSING ACTIVITY
ACCORDING TO ARTICLE 31 REGULATION 1725/2018¹
NOTIFICATION TO THE DATA PROTECTION OFFICER**

NAME OF PROCESSING OPERATION²:

FRA – Roma stakeholders contact list

| |
|--|
| DPR-2019-062 (to be completed by the DPO) |
| Creation date of this record: 11/03/2019 |
| Last update of this record: 01/04/2019 |
| Version: 1 |

| |
|---|
| 1) Controller(s)³ of data processing operation (Article 31.1(a)) |
| Controller: European Union Agency for Fundamental Rights (FRA) |
| Organisational unit responsible ⁴ for the processing activity: Technical Assistance & Capacity Building Unit |
| Contact person: Ann-Charlotte NYGARD – Head of Technical Assistance & Capacity Building Unit; [REDACTED] |
| Data Protection Officer (DPO): [REDACTED]; dpo@fra.europa.eu |

| |
|---|
| 2) Who is actually conducting the processing? (Article 31.1(a))⁵ |
| The data is processed by the FRA itself. <input checked="" type="checkbox"/> |
| The data is processed also by a third party (contractor) [mention the third party]. <input type="checkbox"/> (Specify if they are processors or joint controllers) |

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?

Contact point at external third party (e.g. Privacy/Data Protection Officer):

Name/Surname/Email address

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 guarantee business continuity in the FRA Roma stakeholder relations, which are necessary in order to fulfil the Agency's obligations towards its multi-annual framework (MAF) 2018-2022, and in particular, point h. hereof, i.e. "integration and social inclusion of Roma".

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

Whose personal data are being processed?

FRA staff

Non-FRA staff, i.e. Roma community, incl. Sinti and travellers as well as staff of civil society organisations, NGOs, IGOs, international organisations and EU institutions and bodies active in the area of Roma topics.

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

Please tick all that apply and give details where appropriate. Include information if automated decision making takes place, evaluation and monitoring

(a) **General personal data:**

The personal data contains:

Personal details, i.e. name and surname of the contact person, position/role and organisation the person is working for

Contact details, i.e. contact person's e-mail address, telephone, mobile and fax number, postal address/country of the organisation

Education & Training details

Employment details (e.g. work experience, languages, opinions)

Financial details (e.g. financial identification form, bank account information)

Family, lifestyle and social circumstances

Goods or services provided

Other (please give details):

(b) Sensitive personal data (Article 10)

The personal data reveals:

Racial or ethnic origin

Note: The origin of the data subjects is identified as Roma due to the context of the project.

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

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

*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?*

Designated **FRA** staff members (please specify which team and Unit)

Only designated FRA staff, who for the fulfilment of their duties have access to the Agency's Customer Relationship Management system (CRM) database, will have access to the Roma stakeholders contact list in CRM. Besides CRM, Roma stakeholder contacts may be kept in outlook folders of designated FRA staff, trainees and study visitors working on the topic of Roma and in the FRA's Data 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.

Designated persons **outside** FRA: (please specify)

e.g. For reimbursement of the travel costs, a restricted number of staff members from the Directorate-General for Budget (DG BUDG) at the European Commission have access to your data.

⁶ No need to mention entities that may have access in the course of a particular investigation (e.g. OLAF, EO, EDPS).

7) Transfers to third countries or recipients outside the EEA (Article 31.1 (e))⁷

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

Data are transferred to third country recipients:

Yes

No

If yes, specify to which country:

If yes, specify under which safeguards:

Adequacy Decision of the European Commission

Standard Contractual Clauses

Binding Corporate Rules

Memorandum of Understanding between public authorities

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 personal and contact data in CRM and the personal outlook folders of designated FRA staff members (see under 6) will be retained as long as the Agency will work on the topic of Roma in accordance with its MAF and annual work programmes. In case the Agency ceases to work on that topic, the data will be retained for another 5 years, in case a new MAF or annual work programme would take up the topic again. If after 5 years this is not the case, the data will be erased by FRA.

⁷ **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.

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?

FRA network shared drive

Outlook Folder(s) X

CRM X

Hardcopy file

Cloud (give details, e.g. cloud provider)

Servers of external provider

Other (please specify): *E.g. The data is stored in the EU and no transferred outside EU; the system cannot track the IP; cookies are enabled just for keeping the session active and deleted after the session expires; the data transmission takes places via https://; you need to check the security incident procedure of the contractor and the data breach procedure.*

10) Lawfulness of the processing (Article 5(a)–(d))⁸: Processing necessary for:

Mention the legal basis which justifies the processing

(a) a task carried out in the public interest or in the exercise of official authority vested in the FRA (including management and functioning of the institution), i.e. under FRA MAF 2018-2022, h. integration and social inclusion of Roma X

(b) compliance with a legal obligation to which the FRA is subject

(c) necessary for the performance of a contract with the data subject or to prepare such a contract X

(d) Data subject has given consent (ex-ante, explicit, informed) X

The data subject is asked for his/her explicit consent by e-mail sent from the contact management tool CRM. The tool will provide the possibility for the data subject to access his/her personal data with the possibility of adding, rectifying and erasing it anytime. In case the consent is not provided within a period of three months from the date of request for consent, the existing data in CRM will be deleted by FRA.

(e) necessary in order to protect the vital interests of the data subjects or of another natural person

⁸ 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.

11) Data Minimisation (Article 4(c))

Do you really need all data items you plan to collect? Are there any you could do without?

Name, surname, organisation, e-mail address, telephone, mobile and fax number, postal address of the organisation are needed to take contact with the person by mail, e-mail or telephone in order to involve the person in FRA work on Roma integration and social exclusion as well as to invite the person to participate in relevant activities and events.

12) Transparency (Article 14)

How do you inform people about the processing operation?

By e-mail with link to published privacy statement.

13) 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?

E.g., See privacy statement: e-mail to Romaprogramme@fra.europa.eu; we will reply as per standard deadlines and procedures in FRA's data protection implementing rules.

Data subject rights:

| | |
|--|------------|
| Right to have access | X Anytime |
| Right to rectify | X Anytime- |
| Right to erase ("right to be forgotten") | X Anytime |
| Right to restrict of processing | X Anytime |
| Right to data portability | X Anytime |
| Right to object | X Anytime- |
| Right to obtain notifications to 3 rd parties | X Anytime |
| Right to have recourse | X Anytime |
| Right to withdraw consent at any time | X Anytime |

14) High risk identification

Does this process involve any of the following?

- data relating to health, (suspected) criminal offences or otherwise considered sensitive ('special data categories');*
- evaluation, automated decision-making or profiling;*
- monitoring data subjects;*
- new technologies that may be considered intrusive.*

If yes provide details

Not applicable in this particular processing operation.

15) Other linked documentation

Please provide links to other documentation of this process (consent form, privacy notice, project documentation, security related policies/measures etc.)

In annex: Draft consent e-mail and Privacy notice.

Responsible

Signature

Date

Head of Technical Assistance
& Capacity Building Unit
Ann-Charlotte Nygard