

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

NAME OF PROCESSING OPERATION²:

e-Media Toolkit

Production environment:

<https://e-learning.fra.europa.eu/>;

Staging environment:

<https://e-learning-staging.fra.europa.eu/>

Reference: DPR-2019-066
Creation date of this record: 22/05/2019
Last update of this record: 18/06/2019
Version: 1.0

1) Controller(s)³ of data processing operation (Article 31.1(a))

Controller: European Union Agency for Fundamental Rights (FRA)

Organisational unit **responsible⁴** for the processing activity: Communications and Events

Contact person: *Nicole Romain* [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

The data is processed also by a third party (contractor) [mention the third party]

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?

Framework hosting contractor consortium, MainStrat, Sarenet and Bilbomatica has access to the MariaDB database.

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

██████████ / Project Manager / MainStrat ██████████@mainstrat.com

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 is to provide access to an online tool to raise public awareness of fundamental rights (Article 4.1 (h), [FRA founding regulation](#)). It also assists e-Media toolkit users in the exchange of information and knowledge.(Article 10.2, [FRA founding regulation](#)).

The e-Media toolkit brings together factual reporting examples from different media genres, and practical tools such as checklists. It provides the media with guidance to enhance quality journalism.

The processing entails the storage of registration information in a MariaDB database. This information enables the user to participate in learning activities throughout the e-learning course and to participate in a forum. It also enables the users to see the progress made in the course. Aggregate data will be used by FRA to report on how many users have taken the course and the completion rate.

The user registers on the website and gives explicit consent that his/her data is processed according to the [privacy notice](#) and the [terms and conditions](#) of use. The only data that is shared with other students is the username via the forum.

Users who have been inactive for more than 12 months will be deleted manually once per month.

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

Whose personal data are being processed?

FRA staff

Non-FRA staff (please specify e.g. Roma community, judges, etc.)

Users who register to participate in an e-learning course on Moodle, which is installed on a FRA server at the premises of the hosting contractor in Spain.

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 (e.g. name, surname, date of birth, gender, nationality, address, photo, ID copy, social security certificate, medical certificate, military/civil Certificate, criminal record, etc.)

First name, Surname – mandatory fields
City/town, Country – optional fields

Contact details (e.g. postal address, email address, mobile and fax number)

Email address – mandatory field

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):

Username – Mandatory field, can be a pseudonym

IP address – the last IP address of the user : The IP address is hidden from normal users. It is visible only to Moodle admins.

Cookies:

MoodleSession – A Moodle session cookie which is set by the toolkit and is deleted after the session expires. This cookie ensures that a users' session is maintained when navigating through the website.

The other 4 cookies are the following YouTube cookies if the user accesses a page which has embedded YouTube videos:

GPS - Registers a unique ID on mobile devices to enable tracking based on geographical GPS location. – Duration 1 day

PREF - Registers a unique ID that is used by Google to keep statistics of how the visitor uses YouTube videos across different websites. – Duration 8 months

VISITOR_INFO1_LIVE - Tries to estimate the users' bandwidth on pages with integrated YouTube videos – Duration 179 days

YSC - Registers a unique ID to keep statistics of what videos from YouTube the user has seen. – Deleted after end of session.

(b) Sensitive personal data (Article 10)

The personal data reveals:

Racial or ethnic origin	<input type="checkbox"/>
Political opinions	<input type="checkbox"/>
Religious or philosophical beliefs	<input type="checkbox"/>
Trade union membership	<input type="checkbox"/>
Genetic, biometric or data concerning health	<input type="checkbox"/>
Information regarding an individual's sex life or sexual orientation	<input type="checkbox"/>

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)	<input checked="" type="checkbox"/>
<i>The online communications teams as well as the project manager.</i>	
Designated persons outside FRA: (please specify)	<input checked="" type="checkbox"/>
<i>Certain employees working with FRA from the hosting framework consortium.</i>	
<i>Certain employees working with FRA from the web development contractor.</i>	
<i>Both contractors sign a standard Data Protection clause and process data within the EU.</i>	

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	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

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

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.

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 user can request deletion of their account at any time. This request will be dealt with by the project manager within 2 weeks. Due to specific features of a Learning Management System (forum posts and ongoing courses), the user record is not deleted from the database. When a user's data is deleted, any forum posts are blanked and replaced with a sentence stating that the post has been removed. However, due to [an issue with the LMS](#), if the user started any discussions, their name is still shown on the list of all threads in a forum page. When an account is deleted, the MD5 hash of the username is stored as the email address. The email address + timestamp for when the account was deleted is stored as the username.

Users who have been inactive for more than 12 months will be deleted manually once per month.

The user may request a copy of all of their personal data. Once the request is processed, they will receive a notification to inform them that their personal data may be downloaded from their Data requests page. The user has by default one week to download their data before the download link expires.

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)	<input type="checkbox"/>
CRM	<input type="checkbox"/>
Hardcopy file	<input type="checkbox"/>
Cloud (give details, e.g. cloud provider)	<input type="checkbox"/>
Servers of external provider	<input checked="" type="checkbox"/>

The data is stored in the EU and not transferred outside of the EU. A Moodle cookie is used for keeping the session active and is deleted after the session expires. For YouTube cookies are used to track video usage if the user goes to a page where a YouTube video is embedded. The data transmission takes place via https://.

FRA undertakes to ensure security updates to the software and hosting environment take place in a timely manner.

The consortium has security policies in place to ensure the physical and logical security for the infrastructure it operates. The consortium has also performed a security self-assessment to demonstrate the compliance of its Data Centre with the security requirements outlined by the ISO 27001 standard.
Added to this, the following sub-sections show the specific security measures at three levels:

1. FRA Platform environment, by means of 2 Fortinet firewalls.
2. FRA Applications, by means of Frontal Pro Web Application Firewall.
3. Physical security in the Data Center.

Other (please specify):

10) Lawfulness of the processing (Article 5(a)–(d))⁸: Processing necessary for:
Mention the legal basis which justifies the processing and assess that the purposes specified are purposes specified, explicit, legitimate?

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.

- (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)
- The purpose of the processing is to provide access to an online tool to raise public awareness of fundamental rights (Article 4.1 (h), FRA founding regulation). It also assists e-Media toolkit users in the exchange of information and knowledge.(Article 10.2, FRA founding regulation).
- (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
- (d) Data subject has given consent (ex ante, explicit, informed)
- Consent is collected via a checkbox which appear when the user is asked to confirm their email address and complete the registration process. By default the checkbox is unchecked.
- (e) necessary in order to protect the vital interests of the data subjects or of another natural person

11) Data Minimisation(Article 4(c))

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

The data in the fields specified are the minimum necessary to register for a Moodle e-learning account. These fields are:

Username;
First name;
Surname;
Email address

The user may choose to hide their email address. By default the email address is only visible to other course members.

Optional fields are:

City/town
Country
Timezone
Description
User picture

Picture description
 Additional names – First name – phonetic
 Additional names – Surname – phonetic
 Additional names – Middle name
 Additional names – Alternate name
 List of interests
 Web page
 ICQ number
 Skype ID
 AIM ID
 Yahoo ID
 MSN ID
 ID number
 Institution
 Department
 Phone
 Mobile phone
 Address

12) Transparency (Article 14)

How do you inform people about the processing operation and how can they contact you?

A link to the full privacy statement is provided prior to the completion of the registration procedure. In the user profile screen there are 3 links to:

- *Contact the privacy officer*
- *View data requests*
- *View policies and agreements signed*

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?

See privacy statement: e-mail to rightspromotion@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 | <input checked="" type="checkbox"/> Anytime [or specify the timeframe] |
| Right to rectify | <input checked="" type="checkbox"/> Anytime [or specify the timeframe] |
| Right to erase ("right to be forgotten) | <input checked="" type="checkbox"/> Anytime [or specify the timeframe] |
| Right to restrict of processing | <input checked="" type="checkbox"/> Anytime [or specify the timeframe] |

Right to data portability	<input checked="" type="checkbox"/> Anytime [or specify the timeframe]
Right to object	<input checked="" type="checkbox"/> Anytime [or specify the timeframe]
Right to obtain notifications to 3 rd parties	N/A
Right to have recourse	<input checked="" type="checkbox"/> Anytime [or specify the timeframe]
Right to withdraw consent at any time	<input checked="" type="checkbox"/> Anytime [or specify the timeframe]

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

No

15) Other linked documentation

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

Privacy notice

Privacy and Security measures for the protection of personal data processed outside of the Agency's premises – Note: It provides information on the measures employed by the contractor

Online Collection Check List-media-toolkit – Note: It is completed to help the controller to identify any areas of concern prior to taking any decision on the processing operation.

Responsible

Signature

Date