

**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>: Consultation of stakeholders in the context of the implementation of the framework contract 21-3030-03/ FWC 1 / FRA – Provision of evaluation and feedback services (general record of processing activity).**

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| Reference number: DPR-2020-214             |
| Creation date of this record: 7 March 2024 |
| Last update of this record: 7 March 2024   |
| Version: 1                                 |

Part 1 (Publicly available).

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

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| <b>2) Who is actually conducting the processing? (Article 31.1(a))<sup>5</sup></b>           |
| The data is processed by the FRA itself <input checked="" type="checkbox"/>                  |
| The data is processed also by a third party (contractor) <input checked="" type="checkbox"/> |

<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 contractors below have been awarded an interinstitutional multiple framework contract for the provision of evaluation and feedback services following a public procurement procedure led, on behalf of FRA, by Eurofound. Therefore, they could be processors of FRA if they are awarded specific contracts in cascade or re-opening of competition during the implementation of the framework contract.

- ICF S.A. [[www.icf.com](http://www.icf.com)]
- ECORYS EUROPE [[www.ecorys.com](http://www.ecorys.com)]
- IPSOS N.V: [[www.ipsos.com](http://www.ipsos.com)]
- DELOITTE CONSULTING & ADVISORY CVBA: [[www.deloitte.com](http://www.deloitte.com)]
- Centre for Strategy & Evaluation Services (Europe) Limited [[www.cses.co.uk](http://www.cses.co.uk)]

### 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 carry out FRA stakeholder consultations using the interinstitutional framework contract 21-3030-03/ FWC 1 / FRA for the provision of evaluation and feedback services.

The consultations will be carried out by any of the five contractors mentioned in section 2 above, following the award of the respective specific contract. This record of processing covers all data collection activities likely to be conducted under the framework contract and are described below.

A selected number of stakeholders from within and outside FRA will be consulted to provide feedback on FRA work through:

- (a) semi-structured in-depth individual interviews;
- (b) focus group discussions or group interviews
- (c) online surveys
- (d) direct observation

This is done in the context of facilitating the operations of performance monitoring, reporting, and evaluation and feedback on FRA activities.

The scope of the consultations will be to include a stakeholder perspective in the context of FRA's Consolidated Annual Activity Report as well as ex-ante, interim and ex-post evaluations of a selected group of FRA projects, according to the planned projects included in the FRA's Single Programming Document.

Relevant FRA's stakeholders as well as selected FRA staff members will be identified by FRA and their data (name, surname, email and telephone number) will be shared with the selected contractor in particular for the implementation of the necessary interviews.

The activities involving processing of personal data which the selected contractor will undertake to provide the stakeholder consultation as well as the means and methods used for the processing will be described in a dedicated data protection notice.

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

*Whose personal data are being processed?*

|                                     |                                     |
|-------------------------------------|-------------------------------------|
| FRA staff                           | <input checked="" type="checkbox"/> |
| Non-FRA staff (FRA's stakeholders.) | <input checked="" type="checkbox"/> |

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, gender,

Contact details ( email address, mobile number)

Education & Training details

Employment details (function, work experience)

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

Family, lifestyle and social circumstances

Goods or services provided

Other (please give details):

In the context of the online stakeholder consultations, IP addresses, cookies, metadata or information about participants' devices might be collected by the online tools used to carry out the consultation.

The specific data collected by the online tool selected by each contractor to carry out the stakeholders' consultation will be indicated in the respective data protection notice.

In the context of interviews, focus group discussions and online surveys, opinions provided by the stakeholders might also be collected.

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

The responses provided by the stakeholders as well as the image of respondents if online tools are used might incidentally reveal:

- |   |                                     |
|---|-------------------------------------|
| Racial or ethnic origin   | <input checked="" type="checkbox"/> |
| Political opinions  | <input checked="" type="checkbox"/> |
| Religious or philosophical beliefs  | <input checked="" type="checkbox"/> |
| Trade union membership  | <input type="checkbox"/>            |
| Genetic, biometric or data concerning health  | <input checked="" type="checkbox"/> |
| Information regarding an individual's sex life or sexual orientation                    | <input type="checkbox"/>            |
| N/A   | <input type="checkbox"/>            |
| <br>(c) <b>Personal data relating to criminal convictions and offences</b> (Article 11) |                                     |
| Criminal record (or similar, e.g. declaration of good conduct)                          | <input type="checkbox"/>            |
| N/A   | <input checked="" type="checkbox"/> |

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  
A restricted number of FRA staff responsible for the implementation of the project will have access to the collected personal data.

Recipients **outside** FRA:

Names, surnames, email addresses, phone numbers, function, work experience and opinions of selected FRA stakeholders members as well as selected FRA staff will be shared with the designated staff of the external contractor.

Selected staff members of selected contractor, which are bound by specific contractual clauses for any processing operations of stakeholders' personal data on behalf of FRA, and by the confidentiality obligations deriving from Regulation (EC) 2018/1725).

The responses provided by the relevant stakeholders will only be available to and assessed by the external evaluator (selected contractor). No other parties (also not FRA) will have access to the responses prior to anonymisation.

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

Some of the selected contractor's personnel is located in the United Kingdom. Therefore, the data collected for the purpose of performing a specific contract might be accessed by the contractor's personnel in the United Kingdom. Any transfer of data to the UK falls under the adequacy decision for the [EU-UK adequacy decision](#) adopted by the European Commission on 28 June 2021. Moreover, some of the online tools used by contractors to carry out online interviews, focus groups, etc. are owned by US based companies, which are subject to US Surveillance laws and therefore, a transfer of limited personal data cannot be completely discarded. Such transfers, if any, fall under the adequacy decision for the [EU-US Data Privacy Framework](#) adopted by the European Commission on 10 July 2023.

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

United Kingdom

**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.

<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.

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 contractor will keep the data until the end of the specific contract with FRA, latest until 6 months after the end of Framework contract 21-3030- 03 FWC 1 in August 2025. After this date, all personal data will be deleted.

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) | <input checked="" type="checkbox"/> |
| FRA network shared drive         | <input checked="" type="checkbox"/> |
| Outlook Folder(s)                | <input checked="" type="checkbox"/> |
| CRM                              | <input type="checkbox"/>            |
| Hardcopy file                    | <input type="checkbox"/>            |
| Cloud ( <a href="#">MS 365</a> ) | <input checked="" type="checkbox"/> |
| Servers of external provider     | <input checked="" type="checkbox"/> |

Other (please specify):

The framework contracts signed by the contractors mentioned in section 2 above specify that the personal data can only be held in data centres located with the territory of the European Union and the European Economic Area.

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 [planning@fra.europa.eu](mailto:planning@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