

**62<sup>nd</sup> Executive Board and 38<sup>th</sup> Management Board meetings taking place on 16 and 17 December in a virtual meeting.**

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 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?

The purpose of the processing of your personal data is handling registration and attendance to the 62<sup>nd</sup> Executive Board virtual meeting and 38<sup>th</sup> Management Board virtual meeting (hereinafter: the event), as well as follow up actions, such as feedback collection. It includes, in particular, mailing lists for contacts, photographs/pictures, audio and/or video recordings of the meetings for the purpose of minutes taking.

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

We will collect only the following personal data necessary for the processing operation described above.

For registration: General personal data:

- Personal details: name, surname, prefix, gender, and nationality (required).
- Contact details (email address, mobile phone number)
- Employment details (function/title, name and type of organisation)

During the participation in the event:

- Audio and/or video recording (for the purpose of minutes taking).
- Questions, comments, and messages via chat.
- Voting and/or polling (if applicable).
- Documents shared

## 3. How do we collect your personal data?

3.a. Information you provide us: for the registration and during the participation in the event (see point 2 of this document)

3.b. Information we collect about you:

The collection of the data and emails mailing during the registration will be managed via the software **Aventri**. The system uses cookies, for specific information please see Aventri's [cookie policy](#).

The only cookies that will be collected during the registration process for this Event are:

- **PHPSESSID**: Retains session state of a user activity (1st Party – Session Cookie)
- **Regtoken**: To track cookie consent of all essential cookies (1st Party – Session Cookie)
- **selectedlanguage**: Track chosen Language (1st Party – Expires in 1 day)
- **cookieconsent\_status**: Track cookie consent of essential cookies (1st Party – Expires in 12 months)

Neither of these cookies can read or access other cookies or any data from a user's hard drive. Further, neither of these cookies alone will personally identify a user; however, a cookie will recognise a user's individual web browser or device through an IP Address, browser version, operating system and other information.

#### **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 objective of this processing activity. The Head of the Institutional Cooperation and Networks Unit is responsible for this processing operation.

MCI Benelux S.A. (MCI) is the processor for this event. A contract between FRA and MCI has been signed for this purpose (the contract).

For the implementation of the contract, MCI uses the following sub-processors:

- For registration purposes: Aventri
- Video-conferencing software, chat, questions, document sharing and e-voting system: KUDO

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

The processing operations on personal data linked to the organisation, management, follow – up and promotion of the Event is necessary for the management and functioning of the Agency. In this particular case, the legal basis can be found in articles 12 and 13 of the FRA Founding Regulation (EC) No. 168/2007 establishing the European Union Agency for Fundamental Rights. Therefore, the processing is lawful under Article 5.1. (a) of the Regulation (EU) No 2018/1725.

In addition, since the participation in the Event is not mandatory, the processing of the personal data is also in accordance with Article 5.1.(d) of Regulation (EU) No 2018/1725.

The processing of special categories of personal data is lawful under Article 10(2)(a) of the same Regulation as the data subjects give consent for the recording.

#### **6. Who can see your data?**

Access to your data is granted to authorised staff of FRA and service providers bound by confidentiality clauses, involved in the organisation of the event, without prejudice to a possible transmission to the bodies in charge of a monitoring or inspection task in accordance with Union legislation. Neither FRA nor its service providers share personal data with third parties for direct marketing.

#### **7. Do we share your data with other organisations?**

Apart from the processor and its sub-processors, we do not share your data with anyone else.

#### **8. Do we intend to transfer your personal data to Third Countries/International Organizations?**

No, the personal data of the participants to the event will not be transferred to Third Countries or International Organisations.

Aventri and KUDO are non- EU based service providers, but they will store your personal data on EU-based servers. Standard Contractual Clauses are in place with these service providers. Additional safeguards (end-to-end encryption) are also in place.

#### **9. When we will start the processing operation?**

We will start the processing operation in December 2021.

#### **10. How long do we keep your data?**

Personal data will be kept after the event to ensure implementing necessary follow up activities with regard to the purpose(s) of the processing of personal data as well as for its related management. Data necessary for logistics purposes (reimbursement of expenses, etc.) are kept according to the rules set in the Regulation (EU, Euratom) 2018/1046. Personal data related to registration and participation will be retained by FRA for a period of 1 year after the end of the participants' term of office on the Management Board.

Photos, audio and video recordings are stored in a FRA Institutional Cooperation and Networks Unit drive for 6 months. Information concerning the event on the FRA corporate website will be retained for five years. MCI Benelux S.A. will keep the participants list for no longer than the date of 31 March 2022. After that date, the registration data will be purged from Aventri and KUDO.

Information concerning the meeting on the FRA corporate website will be retained for 5 years.

#### **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 exercise your rights described below by sending an email request to [FRA-MB-Secretariat@fra.europa.eu](mailto:FRA-MB-Secretariat@fra.europa.eu).

##### **a. The value of your consent**

Since your participation is not mandatory, we need proof that you consented to the processing of your personal data. Consent will be collected via the registration platform Aventri. 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**

**a. 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.

**b. Can you modify your data?**

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

**c. 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.

**d. 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.

**e. Are you entitled to data portability?**

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

**f. Do you have the right to object?**

When the legal base 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.

**g. Do we do automated decision making, including profiling?**

Your personal data will not be used for an automated decision-making including profiling.

**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 audience 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 [FRA-MB-Secretariat@fra.europa.eu](mailto:FRA-MB-Secretariat@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](mailto: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 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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