



EUROPEAN COMMISSION

PROTECTION OF YOUR PERSONAL DATA

This is a generic privacy statement, which can be used for targeted consultation activities (including surveys, interviews and focus groups). For details on the personal data collected and further processed, the data subjects should consult the specific privacy statement for a specific targeted consultation activity.

Processing operation: *Targeted consultation activities (including surveys, interviews and focus groups)*

Data Controller: *European Commission, Directorate-General Justice and Consumers, Unit Programme and financial management*

Record reference: DPR-EC-01011.1

Within the current MFF period 2021-2027, DG JUST manages two funding programmes in direct management:

- the Justice programme
- and the Citizens, Equality, Rights and Values programme.

Via these two programmes, DG JUST notably funds around 650 projects per year¹. Most of our projects are multi-beneficiaries with 1 coordinator and 5 partners in average. These beneficiaries receive a grant to organise activities (training, mutual learning, awareness-raising activities, analytical activities or development of ICT tools). A beneficiary can be in multiple projects simultaneously, a single project can include different activities and an activity can be broken down into several events; for example, a project could include two different training sessions and with a mutual learning event. The number of participants to an event ranges from 10 to 300 according to the type of event.

In order to know the results and impacts of the programmes, DG JUST needs to evaluate the quality of the activities organised by the beneficiaries and their impact on the participants. To that purpose, DG JUST will use an EU survey (one survey for each programme with one common questionnaire to be run each year from 2022 to 2028). Each beneficiary (coordinator + partners) will have access to the survey results of its own project(s) only.

Please see below the list and role of the different actors in an EU survey:

Programme supervisor: DG JUST will supervise and manage the two funding programmes and has the survey owner and survey manager roles in EU Survey. DG JUST will aggregate all the results and process them. The analysis of the results will feed into the monitoring and evaluation of the programmes. DG JUST may contract a complementary analysis in the framework of the evaluation of the programme and use the email addresses collected to complete the first survey.

¹ This is an average based on the previous programming period it also include the projects managed by the executive agency EACEA. The number of projects per year will be higher in the 2021-2027 programming period.

Coordinator: Each project is managed by a coordinator who can access all feedbacks collected for that project. A coordinator can manage several projects at the same time. The coordinator will aggregate the results of each of their projects and process them. The analysis will feed into the monitoring and evaluation of the project(s), which is sent to the Commission.

Partner: Partner will be able to access the results for the event(s) they manage. One of the partner may be in charge of the evaluation of the project. The Coordinator will give the right (filtered on the project and event reference numbers) to the project's partners according to what they manage (one or several events feedbacks / whole project feedbacks).

Participant: People who participate to an event and provide their feedback through a contribution. It corresponds to survey participants.

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1. Introduction

The European Commission (hereafter 'the Commission') is committed to protect your personal data and to respect your privacy. The Commission collects and further processes personal data pursuant to Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 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 (repealing Regulation (EC) No 45/2001).

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

This privacy statement concerns the processing operation 'Targeted consultation activities', undertaken by the Commission *Directorate-General Justice and Consumers, Unit Programme and financial management* as presented below.

2. Why and how do we process your personal data?

Purpose of the processing operation: The European Commission collects and uses your personal information within the framework of targeted consultation activities, i.e. for obtaining the views of the respondents concerned by the activities funded by the Justice programme and the Citizens, Equality, Rights and Values programme, for monitoring and evaluation purposes.

For reasons of transparency and openness, in principle, your views will be published on a Europa website, either directly as received, in the form of a summary report, or included in a wider policy document. Your identity is only published together with your contribution if you consent to the publication of your identity.

The subject matter of the consultation activity require you to provide personal data in your response. These personal data will only be published subject to your explicit consent. It is your responsibility if you opt for confidentiality of your personal data to avoid any reference in your submission or contribution that would reveal your identity.

To avoid misuse, anonymous contributions to *the consultation activity* may not be accepted.

The personal data processed may be reused for the purpose of procedures before the EU Courts, national courts, the European Ombudsman or the European Court of Auditor.

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

3. On what legal ground(s) do we process your personal data

We process your personal data, because:

- (a) processing is necessary for the performance of a task carried out in the public interest;
- (b) processing is necessary for compliance with a legal obligation to which the controller is subject;
- (d) it is based on your consent, for the publication of your identity as stakeholder or respondent.

The Union law which is the basis for the processing based on Articles 5(1)(a) and (b) of Regulation (EU) 2018/1725 is the Treaty of the European Union, and more specifically its Articles 1 and 11, Article 298 of the Treaty on the Functioning of the European Union, read in conjunction with Recital 22 of Regulation (EU) 2018/1725), as well as the Protocol 2 on the application of the principles of subsidiarity and proportionality.

4. Which personal data do we collect and further process?

In order to carry out this processing operation *the Data Controller* collects the following categories of personal data:

- name and surname,
- gender
- age category
- professional category (only for the judicial events surveyed),
- country of residence,
- e-mail address of the respondent,
- the name type and of the organisation on whose behalf the respondent is contributing,
- personal data related to the physical, economic, cultural, or social identity of the respondent, insofar as they are not falling under Article 10 of the Regulation,
- personal data included in the response or contribution to the targeted consultation

Furthermore, you may spontaneously provide other, non-requested personal data in the context of your reply to the targeted consultation.

5. How long do we keep your personal data?

The Data Controller only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing, namely for a maximum of five years after the closure of the file to which the present targeted consultation belongs. A file is closed at the latest once there has been a final outcome in relation to the initiative to which the targeted consultation contributed. This retention period is without prejudice to an earlier elimination of personal data not part of the file or cases of administrative elimination.

This administrative retention period of five years is based on the retention policy of European Commission documents and files (and the personal data contained in them), governed by the common Commission-level retention list for European Commission files SEC(2019)900. It is a regulatory document in the form of a retention schedule that establishes the retention periods for different types of European Commission files. That list has been notified to the European Data Protection Supervisor.

The administrative retention period is the period during which the European Commission departments are required to keep a file depending on its usefulness for administrative purposes and the relevant statutory and legal obligations. This period begins to run from the time when the file is closed.

In accordance with the common Commission-level retention list, after the 'administrative retention period', files including (the outcome of) targeted consultations (and the personal data contained in them) can be transferred to the Historical Archives of the European Commission for historical purposes (for the processing operations concerning the Historical Archives, please see notifications DPO-1530.4 ARES-NOMCOM. ARES (Advanced Records System) et NOMCOM (Nomenclature Commune), DPO-3871-3 Notification for the digital archival repository and ARCHISscanning' and 'DPO-2806-5 Gestion des dossiers papier structurés par nom de personnes et transférés aux Archives Historiques'.).

6. How do we protect and safeguard your personal data?

All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored on the servers of the European Commission (*or of its contractors (processors), if contractors are engaged to assist the controller*). All processing operations are carried out pursuant to Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission.

In order to protect your personal data, the Commission has put in place a number of technical and organisational measures. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

The Commission's processors (contractors) are bound by a specific contractual clause for any processing operations of your personal data on behalf of the Commission. The processors have to put in place appropriate technical and organisational measures to ensure the level of security, required by the Commission.

7. Who has access to your personal data and to whom is it disclosed?

Access to your personal data is provided to the Commission staff responsible for carrying out this *processing operation* and to authorised staff according to the "need to know" principle, in particular to follow-up on the targeted consultation. Such staff abide by statutory, and when required, additional confidentiality agreements.

Certain personal data may be made public on the Europa website, namely:

- any personal data on which you consented to their publication;
- personal data spontaneously provided by you in your contribution (without it being required by the *consultation activity*).

Please note that pursuant to Article 3(13) of Regulation (EU) 2018/1725 public authorities (e.g. Court of Auditors, EU Court of Justice) which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

The information we collect will not be given to any third party, except to the extent and for the purpose we may be required to do so by law.

8. What are your rights and how can you exercise them?

You have specific rights as a 'data subject' under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access your personal data and to rectify them in case your personal data are inaccurate or incomplete. Under certain conditions, you have the right to erase your personal data, to restrict the processing of your personal data, to object to the processing and the right to data portability.

You have the right to object to the processing of your personal data, which is lawfully carried out pursuant to Article 5(1)(a), on grounds relating to your particular situation.

Insofar you have consented to the certain processing of your personal data to *the Data Controller* for the present processing operation, you can withdraw your consent at any time by notifying the Data Controller. The withdrawal will not affect the lawfulness of the processing carried out before you have withdrawn the consent.

You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 10 below) in your request.

Any request for access to personal data will be handled within one month. Any other request mentioned above will be addressed within 15 working days.

9. Contact information

- The Data Controller

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controller.

European Commission, *Directorate-General Justice and Consumers, unit Programme and financial management at JUST-04@ec.europa.eu*

- The Data Protection Officer (DPO) of the Commission

You may contact the Data Protection Officer (DATA-PROTECTION-OFFICER@ec.europa.eu) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

- The European Data Protection Supervisor (EDPS)

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor (edps@edps.europa.eu) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

10. Where to find more detailed information?

The Commission Data Protection Officer (DPO) publishes the register of all processing operations on personal data by the Commission, which have been documented and notified to him. You may access the register via the following link: <http://ec.europa.eu/dpo-register>.

This specific processing operation has been included in the DPO's public register with the following Record reference: DPR-EC-01011.1