



EUROPEAN COMMISSION

PROTECTION OF YOUR PERSONAL DATA

Processing operation: *Targeted consultation activities in the framework of the study: ESF+ Support Centre (Lot 1): Promising practices on independent living and inclusion in the community of persons with disabilities*

Controller: European Commission, Directorate-General Employment, Social Affairs and Inclusion, Unit Financial Implementation and Procurement Centre

Processor: ICF S.A.

Record reference: *DPR-EC-01011*

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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 collection and processing of information on promising practices to feed into the Guidance recommending to Member States improvements on independent living and inclusion in the Community, undertaken by the Commission, Directorate-General Employment, Social Affairs and Inclusion, EMPL.D.3 as presented below.

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

Purpose of the processing operation: The Commission collects and uses your personal information within the framework of targeted consultation activities to obtain your views on a specific initiative, policy or intervention.

You are being contacted by ICF S.A. since the EMPL.D.3 has concluded that your views are relevant and necessary to inform the preparation of the collection and processing of information on promising practices to feed into the Guidance recommending to Member States improvements on independent living and inclusion in the Community, concerned by the targeted consultation.

EMPL.D. 3 collected and processes your contact details since you subscribed to, and thus gave your consent to, be part of a mailing list to be informed of / contacted in case of future consultations by the Commission, as part of a questionnaire on promising practice in independent living and inclusion in the Community.

More specifically, the processing operation concerns the following processing activities and purposes:

- to obtain the views of the respondents of a targeted consultation activity for the design, evaluation and revision of policies, initiatives and interventions. To design, evaluate and revise initiatives it is indispensable for the Commission to receive input and views from those who are considered to be concerned by the policy, initiative or intervention.
- to obtain the views of stakeholders to explore a subject for which very limited information is available. This exploratory targeted consultations activity (hereafter, 'targeted consultation') will provide further information to the Commission necessary to take basic conceptual decisions.

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;
- (c) it is based on your consent, for one or more specified purposes:
 - to be contacted by the Commission for the present consultation

The Union law which is the basis for the processing based on Article 5(1)(a) 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 ICF. S.A. collects the following categories of personal data:

- *name and surname,*
- *profession,*
- *country of residence,*
- *e-mail address of the respondent,*
- *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 activity, including (personal) opinions (if the targeted consultation at hand requires so),*

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 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 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 record of processing 'Management and long-term preservation of the European Commission's Archives', registered under reference number [DPR-EC-00837](#)).

Upon expiry of its contract with the Commission on 19 June 2024, ICF S.A. shall, at the choice of the data controller, return to the controller, without any undue delay in a commonly agreed format, all personal data processed on behalf of the controller and the copies thereof or shall effectively delete all personal data unless Union or national law requires a longer storage of personal data.

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 Commission or of its processors (ICF S. A.). 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 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.

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. In accordance with Article 14(3) of Regulation (EU) 2018/1725, your request as a data subject will be handled 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. In such case you will be informed of the extension of the time limit, together with the reasons for the delay.

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 Employment, Social Affairs and Inclusion, Unit Financial Implementation and Procurement Centre at EMPL-MARCHES@ec.europa.eu

For any such communication please indicate VC-2023-0490 in the subject matter.

- 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.