***PRIVACY STATEMENT***

***Qualitative feedback from stakeholders***

***on documents or publications uploaded on the Agency’s website***

The Agency for the Cooperation of Energy Regulators (the ‘Agency’) will process any personal data of stakeholders which it receives in line with Regulation (EC) N° 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

The current privacy statement describes the terms under which the Agency will process the data collected in the context of the qualitative feedback provided by stakeholders on documents or publications uploaded on the Agency’s website.

**Identity of the controller in practice**

Any of the departments of the Agency (Administration Department, Electricity Department, Gas Department, Market Monitoring Department,), and the Director’s Office, depending on the document or publication for which the opinion of the stakeholder is sought.

**Purpose of processing**

The purpose of the processing is to enable the Agency to discuss with the stakeholders their satisfaction with the work of the Agency in terms of usefulness and quality.

**Lawfulness of the processing operation**

Article 10 of Regulation 713/2009 requires the Agency, in carrying out its tasks, to consult extensively and at an early stage with market participants, transmission system operators, consumers, end-users and, where relevant, competition authorities, in an open and transparent manner.

The qualitative feedback provides useful information for the Agency to improve its documents and policies. However, stakeholders may wish to deepen this consultation or be willing to provide further information to strengthen the Agency’s output. Only if the stakeholder provides his/her contact details (name and email address), such ensuing bilateral dialogue can take place. The provision of the personal data is not necessary but only optional when leaving qualitative feedback. By giving their personal data, the data subjects provide their unambiguous consent in line with Article 5(d) of Regulation (EC) 45/2001.

**Recipients of the data processed**

The team members in the respective department who is entrusted with the evaluation of the document will have access to both the qualitative feedback and the individual contact data, in case they are provided by the stakeholder. Members from the Press and Communication Team may equally have access to the data, given their responsibilities related to the Agency’s public relations and communications. IT staff has access for administrative purposes (managing the IT system).

Only data on the qualitative feedback may be disclosed. The personal names and contact details, if provided, will not be released to the public but be kept confidential.

**Categories of data collected and processed**

Stakeholders may be requested to leave qualitative feedback on documents or publications uploaded on the Agency’s website. Stakeholders will be able to leave this feedback on an anonymous basis, without the IT tool being able to trace the information back to the stakeholder.

If the stakeholder wishes, he can however also leave his contact details. It is presented as an additional option in the IT-tool. The questions related to personal data only appear in the survey once this preference is expressed by the stakeholder.

In this case, the IT tool links the following data to the data subject concerned:

1. email address;
2. name and surname.
3. His/her feedback on the document

**Data storage and data retention policy**

The qualitative feedback and the personal contact data, if provided by the stakeholders, will be stored on a protected electronic database on the Agency’s server. The data retention period for the contact data is foreseen for 5 years as a standard reference period to judge progress and achievements in the field of stakeholders’ satisfaction with Agency official documents and reports. The retention period allows the Agency to contact stakeholders also at a later stage, to verify with them whether they deem whether their comments which they had left earlier are still valid or were in subsequent documents taken into account.

**What are your rights as a data subject?**

As data subject, you have the right of i) access, ii) rectification, iii) blocking of data, and iv) erasure (if such needs arise and are duly supported by evidence) of the personal data submitted to the Agency.

In this respect, you may, at any time, consult the data controller who is processing the personal data, or have recourse to the Data Protection Officer of the Agency and to the European Data Protection Supervisor. Their contact data are provided further below.

**Controller in practice**

**Head of the Department of the Agency**

(Administration Department, Electricity Department, Gas Department, Market Monitoring Department, Director’s Office)

Postal address:

Agency for the Cooperation of Energy Regulators (ACER)

Trg republike 3

1000 – Ljubljana

Slovenia

E-mail: info@acer.europa.eu

**ACER Data Protection Officer**

Postal address:

Agency for the Cooperation of Energy Regulators (ACER)

Trg republike 3

1000 – Ljubljana

Slovenia

E-mail: DPO@acer.europa.eu

**European Data Protection Supervisor**

Rue Wiertz, 60

B-1047 Brussels, Belgium

Tel: (+32) 2 283 1900

Fax: (+32) 2 283 1950

E-mail: edps@edps.europa.eu

Website: <http://www.edps.europa.eu/>