



## ISTITUTO COMPRENSIVO STATALE - OSTELLATO (FE)

Via Marcavallo, 35 / b - 44020 Ostellato (FE) - Tel. 0533/681191 - Fax 0533/680132

Mail: feic81400b@istruzione.it - Web: www.comprensivoostellato.edu.it

C.M.: feic81400b - C.F.: 92009650380

To the Parents of the pupils

### Information pursuant to art. 13-14 of the 2016/679 European Regulation for the processing of personal data of pupils and families.

Dear Sir / Madam,

Premise:

pursuant to the provisions of the legislation in question, this Institute is the Data Controller of your personal data as set out in Articles 13-14 EU Regulation 679/2016 and wishes to inform you in advance that the treatment will be based on principles of correctness, lawfulness and transparency and the protection of your privacy and your rights.

We indicate below the information regarding the processing of your data:

#### 1. Contact details of the Data Controller

The Data Controller is: **IC OSTELLATO, Via Marcavallo, 35 / b, 44020 - OSTELLATO - (FE) - 0533681191, feic81400b@Formazione.it - feic81400b@pec.istruzione.it** represented by the **Principal (*pro tempore*) dott. Nicola Bianchin;**

#### 2. Contact details of the DataProtection Officer

Protection Officer The Data Protection Officer (DPO) is the company **Edu Consulting srl - Via XX Settembre n. 118, 00187 Rome (RM) - VAT: 15050081007 - tel .: 06-87153238 - E-mail: requests@educonsulting.it - PEC: educonsulting@pec.it** represented by **Dr. Gianluca Apicella Fiorentino - tel. 334 7219616 - CF PCLGLC66B20E506Z**

#### 3. Type of data being processed, purpose of the processing and legal basis;

All data communicated by you that fall within the definitions set forth in art. 4 and in the particular categories referred to in art. 9 of the Regulations, essential for the continuation of relations with this School, even if collected not at the school but at the Ministry of Education and its peripheral branches, at other State Administrations, at Regions and local bodies, at Bodies with which the school cooperates in activities and projects envisaged by the Three-year Plan of

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Educational Offer, will be treated exclusively for the institutional purposes of the school: education, pupil training and administrative instrumental ones, as defined by current legislation (*RD n. 653/1925, Legislative Decree n. 297/1994, DPR n. 275/1999; Interministerial Decree 28 August n.129 of 2018 and the rules on general accounting of the State; Law n. 104/1992, Law n.53 / 2003, Legislative Decree no. 165/2001, Legislative Decree 196/2003 and European Regulation 2016/679, Ministerial Decree 305/2006; Legislative Decree 76/05; Legislative Decree 77/05; D .Lgs 226/05; Legislative Decree 82/2005, Legislative Decree no. 151/2001, the National and Supplementary Collective Contracts objectives stipulated in accordance with the regulations in force; DPCM 23 February 2006 n. 185 without prejudice to the provisions of Legislative Decree 66/2017; 89 of 20 March 2009; Law 170 of 8.10.2010; Ministerial Decree n. 5669 July 12, 2011; DPR 28 March 2013 n.80, Legislative Decree 33/2013, Legislative Decree 12 September 2013, n.104, converted, with amendments, by Law 8 November 2013, n. 128, Law 13 July 2015 n. 107, Legislative Decree 50/2016, Legislative Decree 56/2017 and related application decrees, guidelines and all the legislation referred to and connected to the aforementioned provisions).*

All the systems that new technologies offer can be used in order to allow education to pupils unable to attend lessons.

For the aforementioned purposes, the data will be processed pursuant to art. 6, paragraph 1, lett. e) of the Regulations (processing necessary for the execution of a task of public interest or connected to the exercise of public authority of which the Data Controller is invested), without the need for your specific consent.

In particular:

- a) it being understood that the personal data of the minor will be processed exclusively with reference to educational activities relating to the institutional purposes of the School, included in the Educational Offer Plan (such as laboratory activities, guided tours, award ceremonies, participation in sports competitions , etc.), and never in such a way as to harm his dignity and / or freedom, it is possible that photos are published on the institutional website and / or in the school newspaper; this will encompass class photos, audio and video recordings of works and events, by the school, of some educational and institutional activities which were carried out during the year. In such cases, the School will process the student's personal data, in this case photos or videos taken as part of the projects approved in the PTOF, also by external operators, photographers and / or video makers, in order to document, testify, tell and enhance the work done and for exclusively didactic-educational and cultural purposes. At the request of the families concerned, it is also possible to extract a copy of the multimedia



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material (dvd-cd rom), containing photos and / or videos taken by the School and its experts during the school year and relating to the educational / didactic projects carried out. In particular, the images and / or videos that the School will come into possession may be published on the institutional website, on the blog and on other telematic portals of this body (such as <http://www.comprensivoostellato.gov.it/>) or on social platforms in order to document the educational and didactic activity. For the aforementioned purposes, the processing will be based on your consent pursuant to art. 6, co. 1, lett. a) of the Regulations. In the above videos and images, minors will in any case be portrayed only in "positive" moments (according to the terminology used by the Guarantor for the protection of personal data and by the Treviso Charter of 5 October 1990 and subsequent additions) related to life of school: learning, school plays, sports competitions, etc. and in any case in the background.

- b) The data falling into the particular categories, provided for by articles 9 and 10 of the Regulation, as well as by articles 2 sexies and 2 octies of the revised Legislative Decree 196/2003 will be processed exclusively by the staff in charge of the school, adequately trained and instructed, in accordance with the provisions of the law and regulations mentioned in the previous point a), which specify the types of data that can be processed and the operations carried out, and in compliance with the principle of strict indispensability of the treatments.

Particular data will not be disseminated; to carry out institutional activities provided for by the current provisions on health, social security, tax, judicial and educational matters, within the limits set by the Ministerial Decree 305/2006, published in the Official Gazette No. 11 of 15-01-07, some of them may be communicated to other public entities only if strictly indispensable;

#### 4. Mandatory or optional nature of the provision of personal data

The provision of your data for the purposes indicated above and the consequent processing are mandatory and indispensable as required by the aforementioned legislation; any refusal to provide such data would result in the failure to complete the registration or the impossibility of providing the pupil with all the services necessary to guarantee his right to education and training; with the exception of the provisions of point 3, lett. a) of this deed. In the latter cases, the provision is optional, and any refusal will not prevent the provision of the requested services, including education and training.



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At any time, the interested party has the right to withdraw his consent in the same manner in which it was granted. The withdrawal of consent does not affect the lawfulness of the processing based on consent before the withdrawal.

### 5. Methods of data processing

In relation to the above, the processing can be carried out both with paper and electronic tools, in both cases with adequate security measures, in compliance with those indicated by the Code and the others identified pursuant to the Regulations; the data will be processed and stored according to the indications of AGID and with the times and methods indicated by the Guidelines for educational institutions, by the plans for the conservation and discard of school archives and by the tables, defined by the General Directorate of Archives at the Ministry of Cultural Heritage.

### 6. Subjects to whom the data are communicated

Your personal data may be communicated within the school to the Principal, to specifically designated data processors, to those authorized for processing, to the teachers of the class council and to the members of the school integration team, in relation to the didactic, evaluative, integrative and institutional activities which require the aforementioned data. Furthermore, they may be communicated to school collaborators and members of collegial bodies limited to the data strictly necessary for their activity;

- a) Personal data may also be disclosed to public entities (Regional School Office, Territorial Areas, ASL, Municipality, Province, judicial police bodies, tax police bodies, financial police, judiciary, etc.) within the limits of what is foreseen. by the current provisions of law and regulation and the consequent obligations for this school;
- b) Only personal data may be disclosed to third parties who provide services to this school such as, by way of example and not limited to: travel agencies and accommodation facilities (exclusively in relation to school trips, educational trips and school camps), companies insurance (in relation to accident insurance policies), any companies that supply other services such as canteen services, management software, electronic register, digital services (such as e-learning platforms and educational management software such as Google Workspace, etc.). The data acquired through the aforementioned educational platforms will also be used by this School to ensure the performance of Integrated Digital Education, Distance Learning, Parental Education, Home Education and in all cases where students are unable to attend school.



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Carrying out these treatments is a necessary condition for the interested party to use the related services; only in case of treatments carried out continuously and not occasionally, the companies in question will be appointed as Data Processors, limited to the services requested and rendered. Only the data required by law and strictly in the cases indicated therein may be disclosed.

### 7. Data retention time Data

retention times (without any difference between paper and digital) are established by the reference legislation for educational institutions identifiable in Law 59/1997 (Art. 21), Presidential Decree 275/1999, Presidential Decree 445 / 2000, Legislative Decree 42/2004 and Law 137/2002 (Art. 10).

The collected data will be kept for a period of time not exceeding the achievement of the purposes for which they are processed ("conservation limitation principle", Article 5, GDPR) and / or for the time necessary for legal obligations and in any case until the consent is revoked.

The verification of the obsolescence of the data stored in relation to the purposes for which they were collected is carried out periodically.

The Data Controller does not transfer your data abroad.

### Rights of the interested party

In light of the above, you may, as an interested party, and within the limits established by European legislation, exercise the rights provided for by articles from 15 to 21 of the Regulation and, more precisely:

- **Right of access (Article 15 of the GDPR)**

You have the right to obtain from the data controller confirmation as to whether or not personal data concerning you are being processed and, in in this case, to obtain access to your personal data, including a copy of the same, and the communication, among others, of the following information:

1. purpose of the processing;
2. categories of personal data processed;

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3. recipients to whom these have been or will be communicated;
4. data retention period or the criteria used;
5. rights of rectification, cancellation of personal data, limitation of processing and opposition to processing within the limits established by the regulations in force;
6. right to lodge a complaint;
7. right to receive information on the origin of personal data if they have not been collected from the interested party;
8. the existence of any automated decision-making process, including any profiling;

- **Right of rectification (Article 16 of the GDPR)**

You have the right to obtain, without undue delay, the correction of inaccurate personal data concerning you and / or the integration of incomplete personal data.

- **Right to cancellation (right to be forgotten) (Article 17 of the GDPR)**

You have the right to obtain, without undue delay, the cancellation of your personal data, when:

1. the data are no longer necessary with respect to the purposes for which they were collected or otherwise processed;
2. there is no other legal basis for the processing;
3. you have successfully opposed the processing of your personal data;
4. the data has been unlawfully processed,
5. the data must be deleted to fulfill a legal obligation;
6. the personal data have been collected in relation to the offer of information society services referred to in Article 8, paragraph 1, of the Regulation.

The right to erasure does not apply to the extent that the processing is necessary for the fulfillment of a legal obligation or for the performance of a task carried out in the public interest or for the ascertainment, exercise or defense of a right. in court.

- **Right to limitation of treatment (Article 18 of the GDPR)**

You have the right to obtain limitation of treatment when:

1. you contest the accuracy of your personal data;
2. the processing is unlawful and you oppose the deletion of personal data and instead ask that its use be limited;
3. personal data are necessary for the ascertainment, exercise or defense of a right in court;



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4. opposed the processing pending verification of the possible prevalence of the legitimate reasons of the data controller with respect to those of the interested party.

- **Right to data portability (Article 20 of the GDPR)**

You have the right to receive, in a structured format, commonly used and readable by an automatic device, the personal data concerning you provided to the Data Controller and the right to transmit them to another owner without hindrance, only if the processing is based on consent and only if it is carried out by automated means. Furthermore, the right to obtain that your personal data be transmitted directly from the Data Controller to another Data Controller if this is technically feasible.

- **Right to object (Article 21 of the GDPR)**

You have the right to object to the processing at any time, for reasons connected with your particular situation, without prejudice to the needs of the administration as highlighted in the same art. 21.

Right to lodge a complaint with the Guarantor for the protection of personal data, Piazza di Montecitorio n. 121, 00186, Rome (RM).

### **How to exercise your rights**

The above rights may be exercised by contacting the Data Controller or the Manager, without particular formalities, to assert your rights, as provided for in Chapter III of the Regulations.

The Data Controller or the DPO will take care of your request and provide you, without undue delay and, in any case, at the latest within one month of receiving it, the information relating to the action taken regarding your request. The exercise of your rights as an interested party is free of charge pursuant to Article 12 of the Regulation.

However, in the case of manifestly unfounded or excessive requests, also due to their repetition, the Data Controller may charge you a reasonable fee, in light of the administrative costs incurred to manage your request, or deny the satisfaction of your request.

Finally, we inform you that the Data Controller may request further information necessary to confirm the identity of the interested party.

***The Principal***

Dr. Nicola Bianchin