

PRIVACY POLICY UNDER ART. 13 OF EU REGULATION NO. 679/2016 OF 27 APRIL 2016

This policy is issued under Article 13 of EU Regulation no. 679 of 27 April 2016 (hereinafter EU Regulation) on the protection of natural persons with regard to the processing of personal data and in compliance with the laws on personal data processing and on the free movement of such data.

This Policy concerns permanent Faculty members working for and/or providing intellectual services to the Politecnico di Milano.

All personal data provided at the time the employment relationship with the University was established, during the course thereof or at the time of its termination, concerning the data subject and/or his/her family members, are processed in accordance with the General Data Protection Regulation - EU Regulation 2016/679 and Legislative Decree no. 196/2003 as amended, the Data Protection Act.

Data Controller

Politecnico di Milano - General Director, delegated by the pro-tempore Rector - e-mail: dirgen@polimi.it.

Data Protection Officer and contact details

E-mail: privacy@polimi.it.

Personal data categories

The Data Controller shall process the personal data supplied by the data subject at the time his or her employment relationship with the Politecnico di Milano was established, during the course thereof or at the time of its termination, concerning the data subject and/or his/her family members, solely for the purpose of fulfilling legal requirements related to such employment, including those related to the management of tax and social security obligations, in accordance with applicable current regulations.

In particular, the following categories of data shall be processed:

- **common data:** personal and contact data (name, surname, date and place of birth, Tax Code, residence, citizenship, person code, student identification number), identity document, contact information, educational qualifications, resume, data on whether or not military service has been completed, bank account details; data on the members of one's household and their personal details; data on previous jobs; data on selection procedures (e.g., outcomes of selection procedures); images and audio/video footage.
- **special categories of personal data (Art. 9 of the EU Regulation):** racial and ethnic origin (for non-EU citizens, and for refugee status), health status for personnel falling within the categories regulated by Article 1 of Law no. 68 of 12 March 1999, judicial data (Article 10 of the Regulation), i.e. data relating to criminal convictions and offences implying dismissal from employment with Public Administrations under Article 127, paragraph 1, letter d) of the Consolidated provisions on the statute of civil servants, approved by Presidential Decree no. 3 of 10 January 1957 and Presidential Decree no. 62/2013.

Purpose of processing and legal basis

For the purposes of the application of European and national legislation on the protection of personal data, it is noted that the personal data will be used for the following purposes.

Personal data processing purposes	Legal basis of processing
1. Recruitment, selection and competition procedures.	Fulfilment of the Data Controller's legal obligations, performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, pursuant to Article 6, paragraph 1, letters c) and e) of EU Regulation 2016/679.
2. Management of the organisational structure, of staff's personal data, of academic careers.	Performance of a contract to which the data subject is party, fulfilment of the Data Controller's legal obligations, performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, pursuant to Article 6, paragraph 1, letters b), c) and e) of EU Regulation 2016/679.
3. Fulfillment of obligations related to employment management (e.g., leaves, mobility, staff transfers and exchanges).	Fulfilment of the Data Controller's legal obligations, pursuant to Article 6, paragraph 1, letter c) of EU Regulation 2016/679
4. Welfare policy management.	Performance of a contract to which the data subject is party, fulfilment of the Data Controller's legal obligations, performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, pursuant to Article 6, paragraph 1, letters b), c) and e) of EU Regulation 2016/679.
5. Management of training and professional refresher courses (in person and e - learning courses, registration for training courses, course attendance certificates).	Performance of a contract to which the data subject is party, fulfilment of the Data Controller's legal obligations, performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, pursuant to Article 6, paragraph 1, letters b), c) and e) of EU Regulation 2016/679.
6. Disciplinary proceedings against Faculty members;	Performance of a contract to which the data subject is party, fulfilment of the Data Controller's legal obligations, performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, pursuant to Article 6, paragraph 1, letters b), c) and e) of EU Regulation 2016/679.

<p>7. Management of litigation in and out of Court to enforce the rules on administrative sanctions and appeals; to enforce the right of defence in administrative or judicial proceedings; for debt collection, settlements, arbitrations.</p>	<p>Legal obligation to which the Data Controller is subject, pursuant to Article 6, paragraph 1, letter c) of the EU Regulation.</p>
<p>8. Economic and career advancements.</p>	<p>Fulfilment of the Data Controller's legal obligations, performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, pursuant to Article 6, paragraph 1, letters c) and e) of EU Regulation 2016/679.</p>
<p>9. Management of internal and external, including international, mobility procedures.</p>	<p>Fulfilment of the Data Controller's legal obligations, performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, pursuant to Article 6, paragraph 1, letters c) and e) of EU Regulation 2016/679.</p>
<p>10. Management of insurance and social security procedures, welfare contributions, accident reports and procedures.</p>	<p>Performance of a contract to which the data subject is party, fulfilment of the Data Controller's legal obligations, performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, pursuant to Article 6, paragraph 1, letters b), c) and e) of EU Regulation 2016/679.</p>
<p>11. Sending of communications/certificates relating to one's professional career.</p>	<p>Performance of a contract to which the data subject is party, fulfilment of the Data Controller's legal obligations, performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, pursuant to Article 6, paragraph 1, letters b), c) and e) of EU Regulation 2016/679.</p>
<p>12. Election of representatives of governing bodies and database management with respect to the career and duties of the elective office held by the data subject in the University's governing bodies and other political and administrative appointments.</p>	<p>Performance of a contract to which the data subject is party, fulfilment of the Data Controller's legal obligations, performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, pursuant to Article 6, paragraph 1, letters b), c) and e) of EU Regulation 2016/679.</p>
<p>13. Verification of the truthfulness of the representations made under Arts. 46 and 47 of Presidential Decree 445/2000.</p>	<p>Legal obligation to which the Data Controller is subject, pursuant to Article 6, paragraph 1, letter c) of the EU Regulation.</p>

14. Verification of the fitness for duty of people with disabilities.	Legal obligation to which the Data Controller is subject, pursuant to Article 6, paragraph 1, letter c) of the EU Regulation.
15. Career-related data filing and storage.	Fulfilment of the Data Controller's legal obligations, performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, pursuant to Article 6, paragraph 1, letters c) and e) of EU Regulation 2016/679.
16. Evaluation of the quality of teaching, research and any other academic activities (e.g. scientific credentials and VQR [Evaluation of Research Quality]).	Fulfilment of the Data Controller's legal obligations, performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, pursuant to Article 6, paragraph 1, letters c) and e) of EU Regulation 2016/679.
17. Research and statistics on aggregate data without data subject identification.	Performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, pursuant to Article 6, paragraph 1, letter e) of EU Regulation 2016/679.
18. Treatments concerning the health of people falling within the categories regulated by Article 1 of Law no. 68 of 12 March 1999.	Fulfilment of the Data Controller's legal obligations, performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, pursuant to Article 6, paragraph 1, letters c) and e) of EU Regulation 2016/679. Implementation of the obligations and exercise of the specific rights of the Data Controller or of the data subject in the field of employment, social security and social protection law, pursuant to Article 6, paragraph 1, letter e) and Article 9, paragraph 2, letter b) of EU Regulation 2016/679.

The Politecnico di Milano may also collect and use images of the data subject, through photographic shootings or audio/video recordings and other collection methods ("Images"), which amount to personal data under EU Regulation 2016/679 ("GDPR"). Such Images may be used for institutional, information and promotional purposes of the University, such as their publication on the institutional website, information materials or social media channels of the University.

The legal basis for the processing of Images for promotional purposes is the consent of the data subject, pursuant to Article 6, paragraph 1, letter a) of the GDPR.

For institutional and information purposes, the legal basis of processing is the performance of a task carried out in the public interest or in the exercise of official authority, pursuant to Article 6, paragraph 1, letter e) of the GDPR. Such purposes may include the promotion of teaching, research and institutional communication activities of the Politecnico di Milano. In any case, the data subject has the right to object

to processing of personal data concerning him or her, including his or her image, pursuant to Article 21 of the GDPR.

In case of the data subject's objection or withdrawal of consent, the Politecnico di Milano will remove the Images from its websites or social media pages within fifteen working days from receiving the data subject's request. Where the Images are printed or published in multimedia format, such Images will not be included in subsequent reprints or publications if the data subject objects to their further dissemination.

Storage period

Based on the different purposes for which data are collected, they will be stored for the following periods:

- a) in case of performance of contractual measures: for the entire term of the contractual relationship and of the adoption of such measures. Data relating to any disciplinary proceedings involving the data subject will be stored indefinitely with respect to the final measure and for 5 years in case of its revocation or annulment: for as long as required by the applicable laws;
- b) in case of legal obligations of the Data Controller: for as long as required by the applicable laws;
- c) in case of a public interest: as laid down in the data storage manual of the Politecnico di Milano.

Nature of data

The provision of data is mandatory. The data subject's refusal to provide them might prevent the establishment of an employment relationship, might cause termination of an existing relationship or might prevent the supply of the services requested/due.

Personal data are collected in accordance with the data minimisation principle laid down by the UE Regulation for each specific purpose of data processing.

Processing methods

Data processing for the purposes indicated above may be carried out both on paper and digitally, manually and/or with electronic or automated tools.

Data are collected in accordance with the principles of lawfulness, fairness, relevance, completeness and non-excessiveness in relation to the purposes for which they are processed.

The personal data of the data subject may also be published on the University's websites to fulfil the transparency obligations laid down by Legislative Decree no. 33 of 2013, or where necessary to fulfil obligations deriving from employment contracts.

In addition, identification and contact data (company phone number and email address) are published on the institutional website of the Politecnico di Milano and may be communicated to customers, suppliers, external professionals or other third parties with which the University collaborates for various purposes.

The aforesaid entities will process personal data as Data Processors or independent Data Controllers.

To meet any requests from the postal police and/or judicial authorities or at the request of the Directorate of the Politecnico di Milano, the University may process personal data contained in logs should there occur a harmful event or dangerous situation calling for immediate action. Further information on this point is available on the following web page: [Non-primary personal information - polimi](#).

The use of badges as part of the University's access control systems involves the collection by the University of the following personal data: badge number, date/time of access, gate identifier.

Duly authorised persons are entitled to access the data acquired for the aforementioned purposes.

Categories of Recipients

For the aforesaid purposes, the data may be communicated or be otherwise accessible to employees and collaborators working within the competent offices of the Politecnico di Milano, duly authorised to process them under Article 29 of the EU Regulation.

The Politecnico di Milano may also communicate the personal data held thereby as a Data Controller also to other Public Administrations and private entities if such communication is necessary or functional to the establishment and management of the employment relationship, in the manner and for the purposes set out above, and to any public and private entities to which, provided the relevant conditions are met, such communication is required by EU provisions, laws or regulations.

Specifically, the recipients of personal data are:

- INPS (for pension payment, Law 335/1995; Law 152/1968);
- Verification Committee for Work-related Causes and Territorially Competent Medical Commission (as part of the procedure for the recognition of work-related causes/fair compensation within the meaning of Presidential Decree 461/2001);
- INAIL, Police Authorities, Immigration Desk (Presidential Decree no. 334/2004) and/other Authorities regulated by law
- Competent healthcare facilities (for home visits to ascertain an employee's illness);
- Professional associations;
- Selection boards appointed in the course of Faculty selection and evaluation procedures;
- Public and private entities entrusted with the in-house training of the University's Faculty members;
- Private entities managing the health insurance policy for the University's staff;
- Local Labour Directorate;
- Job centre or locally competent body for hiring, terminating and amending employment relationships, also in accordance with Law 68/1999;
- Provincial administrations and Regional job centre with regard to the information document on recruitments, terminations and changes to employment relationships, prepared in accordance with Law 68/1999;
- Judicial authority (Criminal Code and Code of Criminal Procedure);
- Public administrations/Universities to which Professors are transferred
- Ministry of University and Research managing the data concerning Faculty members;
- National agency for the evaluation of Universities and Research Institutes – ANVUR;
- Presidency of the Council of Ministers - Civil Service Department, as part of the mandatory communications provided for Faculty members.

Some data may be published online in the Transparent Administration section of the University's website, since they are required to fulfill the legal obligations laid down by Legislative Decree no. 33 of 14 March 2013 on administrative transparency and the dissemination of information by public administrations

Personal data are treated and stored at the Politecnico di Milano and/or the providers of services required for Faculty management which, for the sole purpose of the service requested, may have access to the personal data of the data subjects, being appointed as Data Processors under Article 28 of the Regulation.

Transferring data to non-EU countries or international Organisations

The personal data will be processed by the Data Controller within the territory of the European Union. If for technical or operational reasons it becomes necessary to use parties located outside the European Union, or transfer some of the data collected to technical systems and services managed in the cloud and located outside the European Union, the processing will be regulated under the provisions of Chapter V of the EU Regulations and authorised based on specific EU decisions.

All necessary precautions will therefore be taken to ensure the utmost protection of the personal data, basing the transfer on:

- a) decisions of adequacy for third-country recipients issued by the European Commission;
- b) appropriate safeguards provided by the third-party recipient pursuant to Article 46 of the EU Regulation;
- c) on the adoption of corporate binding rules.

Data subjects' rights

The data subject may request the Politecnico di Milano, as Data Controller, under Articles 15, 16, 17, 18, 19 and 21 of the GDPR:

- to be granted access to the personal data concerning him or her and all the information referred to in Article 15 of the GDPR;
- to rectify inaccurate personal data and complete incomplete personal data;
- to erase data, except for data contained in deeds which must be stored by the Politecnico di Milano unless there is an overriding legitimate interest of the Data Controller in the processing;
- to restrict processing in the cases regulated by Article 18 of the GDPR.

The data subject may also:

- object to the processing of personal data concerning him or her, subject to the provisions with regard to the necessary and mandatory nature of the processing for the purposes of establishing the relationship;
- withdraw consent for non-mandatory data processing, without thereby affecting the lawfulness of processing based on consent before its withdrawal.

These rights may be exercised by contacting privacy@polimi.it.

If the data subject believes that his or her rights have been violated by the data controller or a third party, the data subject may lodge a complaint with the Data Protection Authority under Article 77 of the GDPR.

Milan, 07 November 2024.