

PRIVACY POLICY OVERSEAS STUDENT

RUFA S.r.l. - Rome University of Fine Arts, with registered office based in Rome, at Via Latina 20 – 00179, Tax Code and VAT No. 09227921005, in the person of the legal representative *pro tempore*, the data controller (hereinafter referred to as the "Data Controller" or "Company"), as required by the applicable legislation (Article 13 General Regulations on Personal Data Protection, hereinafter also referred to as GDPR), hereby provides students and, through them, those to whom the submitted data refer (specified as "data subjects"), information relating to the processing of their data.

Which data are processed

The data processed are those provided by the student or by the institute in which the student is enrolled, with which the Company has specific agreements.

More specifically, it concerns the following data referring to the student:

- contact details
- identification data and personal details
- curricular data
- images

The identification data of the individual specified as an emergency contact are also processed.

In the case of students with disabilities and/or inabilities, the specific data relating to this shall be processed (relating to his/her health status).

The purposes and legal bases of processing

The personal data collected are used for the following purposes:

- managing activities linked to the Erasmus project
- the organisational management of educational activities
- notices and communications relating to the current relationship

The legal bases for data processing are as follows: fulfilling the obligations resulting from the agreement to which the data subject is a party and complying with the legal obligations to which the data controller is subject.

The processing of specific data (relating to health status), carried out for educational purposes, partly associated with the logistics organisation, is based on Article 9, section a) of the GDPR.

The use of the company's IT and electronic equipment by the student, involves the transfer of certain personal identification data, the processing of which is carried out to fulfil the obligations resulting from the agreement and based on the legitimate interests of the data controller, which entails verifying the correct use of the equipment for organisational and production requirements and ensuring the security and integrity of the information and IT assets. Further information in this regard is contained in the internal IT regulation.

If necessary, the data subject's data may also be used in the data controller's legitimate interests to carry out defensive activities or to defend a right in court.

If expressly permitted, the student's identification data may also be processed for the submission of advertising or direct sales material or for carrying out market research or commercial communication of the activities and services offered by the data controller through traditional means, such as by telephone contact with the operator, as well as by automatic means, such as email and SMS. The legal basis of the processing of identification data for the specified marketing purpose is consent.

Processing methods, storage times and processing location

The data collected are processed using IT tools and paper methods by authorised staff, in accordance with the security obligations required by current legislation to prevent data loss, illicit or improper use and unauthorised access.

The Company uses IT tools within the company premises and other outsourced tools, which do not, however, involve the transfer of data overseas, except as specified in this policy for the processing of data for marketing purposes.

Data relating to health status are stored using paper methods at the Company's premises, with access reserved to staff of the educational secretariat. Those operating in other areas and processing students' data are unaware of nor have access to specifications relating to disabilities or inabilities.

The data acquired shall be kept for the entire duration of the training course and for the time necessary to fulfil the obligations relating to the Erasmus programme in which the data subject participates and, in any case, under the required terms established for the rights and obligations underlying the processing of certain processed data.

This is always notwithstanding any defensive requirements for which the data may be stored even after the specified terms.

Any consent given for the submission of marketing and promotional communications, based on Article 130, paragraphs 1 and 2 of Legislative Decree 196/2003 (Privacy Code), involves the receipt of said communications, not only through automated contact methods, but also through traditional methods, such as paper mail or operator calls.

Promotional emails are sent through the "Benchmark Email" service, by the American company Benchmark Internet Group, LLC, 10621 Calle Lee, Building 141 Los Alamitos, CA 90720; therefore, in the case of authorisation to process data for marketing purposes, the data subject's data may be transmitted by and become known to said American service provider, which adheres to the adequacy decision of the European Commission known as the "Privacy Shield", thus ensuring the compliance of the personal data subject to processing and operating, for this service, as data processor. The specifications relating to this service are available at the following links: <https://www.benchmarkemail.com/TermsOfUse> and <https://www.benchmarkemail.com/email-marketing/privacy-policy>.

The submission of messages can also be carried out through the "Smssender" sender service by the Italian company MGvision s.r.l., with registered office in Rome, at Via del Plebiscito 107, post code 00186; therefore, in the event of authorisation to process data for marketing purposes, the data subject's data may be transmitted by and become known to said service provider. The specifications relating to this service are available on the supplier's website: <https://www.smssender.net>.

If consent is given, data processed for marketing purposes shall be stored for two years, subject to the right of opposition that the data subject may freely exercise at any time and without any charge, even separately, for the submission of promotional communications via automated means or through traditional methods.

This is notwithstanding any defensive requirements for which the data may be stored even after the specified terms.

Those who may become aware of the data

The data provided may become known to the internal staff expressly authorised to process the data subject's data to carry out the activities relating to the area in which said staff operate.

The data may also become known to external parties used by the data controller and, specifically, by the teaching staff to carry out educational activities, by IT companies that carry out support activities on the systems used by the data controller to process data, by consultants for the management of litigation and for legal assistance in the event of any disputes for which their involvement may become necessary.

The data shall also be disclosed to Authorities and Institutions (such as: the European Commission, the Ministry of University and Research, the Agency for the Right to University Studies in Lazio) in relation to which the Company has specific legal obligations.

As previously specified, the data may also become known to the providers of the services used for the submission of promotional emails and SMSs, in the event that the processing of data for marketing purposes has been authorised.

It should be noted that some of the parties specified operate as data processors and that disclosure to those who operate as autonomous data controllers is carried out without requiring the consent of the data subject, given that it is required by law or necessary to fulfil the obligations resulting from the contractual relationship or in the legitimate interest indicated for processing purposes. The data subject may ask the Data Controller for the list of external parties that carry out their activities as data processors.

However, disclosure is limited only to the categories of data for which transmission is necessary to carry out the pursued activities and purposes.

Nature of the provision of data

The provision of data is optional but, failing this, it shall not be possible to establish and execute the relationship.

Rights of the data subject

The law grants the data subject the right to ask the data controller for access to his/her personal data and to rectify or delete said data or to limit its processing insofar as concerns him/her, in addition to the right to data portability.

The data subject asserts his/her rights at any time, without formalities, by contacting the data controller, via the email address privacy@unirufa.it

The rights acknowledged by the current legislation on personal data protection are detailed below, also specifying the conditions.

- The **right of access**, i.e., the right to obtain, from the data controller, confirmation that personal data concerning him/her is or is not being processed and, in this case, to obtain access to said personal data and to the following information: a) the purposes of the processing; b) the categories of personal data in question; c) the recipients or categories of recipients to whom the personal data have been or shall be disclosed, specifically, if third-party country recipients or international organisations; d) where possible, the storage period for the personal data, or, if not possible, the criteria used to determine said period; e) the existence of the right of the data subject to ask the data controller to rectify or delete his/her personal data or to limit the processing of personal data concerning him/her or to object to their processing; f) the right to file a complaint with a supervisory authority; g) if the data are not collected from the data subject, all information available regarding their origin; h) the existence of an automated decision-making process, including profiling and, at least in said cases, significant information on the logic used, as well as the importance and expected consequences of said processing for the data subject. Where

personal data are transferred to a third-party country or to an international organisation, the data subject shall be entitled to be informed of the existence of adequate guarantees relating to the transfer.

- The **right of rectification**, i.e., the right to obtain, from the data controller, the rectification of inaccurate personal data concerning him/her without undue delay. Taking into account the purposes of processing, the data subject is entitled to supplement incomplete personal data, including by providing a supplementary statement.

- The **right of deletion**, i.e., the right to obtain, from the data controller, the deletion of personal data concerning him/her without undue delay if: a) the personal data are no longer necessary with respect to the purposes for which they were collected or otherwise processed; b) the data subject withdraws his/her consent on which the processing is based and if there is no other legal basis for the processing; c) the data subject objects to the processing carried out, given that it is necessary for executing a task of public interest or associated with the exercise of public powers in which the data controller is invested or to pursue a legitimate interest and given that there is no prevalent legitimate reason to proceed with the processing, or the data subject objects to processing for direct marketing purposes; d) personal data have been processed unlawfully; e) personal data must be deleted to fulfil a legal obligation required by the law of the EU or Member State to which the data controller is subject; f) personal data have been collected in relation to the provision of the company's information to minors. However, the request for deletion cannot be accepted if processing is necessary: a) to exercise the right of freedom of expression and of information; b) to fulfil a legal obligation requiring processing under the law of the EU or Member State to which the data controller is subject or to perform a task carried out in the public interest or in the exercise of public powers in which the data controller is invested; c) for reasons of public interest in the public health sector; d) for filing purposes in the public interest, for scientific or historical research or for statistical purposes, insofar as the deletion risks the impossibility of achieving the objectives of said processing or risks severely affecting their achievement; or e) for the ascertainment, exercise or defence of a right in court.

- The **right of limitation**, i.e., the right to process data, except for storage, only with the consent of the data subject or for the ascertainment, exercise or defence of a right in court or to protect the rights of another individual or legal entity or reasons of significant public interest of the EU or a Member State if: a) the data subject disputes the accuracy of the personal data, for the period necessary for the data controller to verify the accuracy of said personal data; b) the processing is unlawful and the data subject objects to the deletion of personal data and asks, instead, that its use is limited; c) although the data controller no longer needs said data for processing purposes, the personal data are necessary for the data subject to ascertain, exercise or defend a right in court; d) the data subject objects to the processing carried out as it was necessary to perform a task of public interest or in connection with the exercise of public powers in which the data controller is invested or to pursue the legitimate interest of the data controller or third parties, pending verification of the possible prevalence of the data controller's legitimate reasons with respect to those of the data subject.

- The **right of portability**, i.e., the right to receive, in a structured, commonly used and automatically legible format, personal data concerning him/her provided to the data controller and the right to transmit said data to another data controller without impediments by the data controller that provided said data, as well as the right to obtain the direct submission of personal data from one data controller to another, if technically feasible, if the processing is based on consent or on an agreement and the processing is carried out via automated means. This right is notwithstanding the right to deletion.

- The **right of objection**, i.e., the right of the data subject to object, at any time, for reasons associated with the specific situation, to the processing of personal data concerning him/her, given that it is necessary for executing a task of public interest or associated with the exercise of public powers in which the data controller is invested or to pursue to the legitimate interest of the data controller or third parties. If personal data are processed for direct marketing purposes, the data subject is entitled to object, at any time, to the processing of personal data concerning him/her carried out for said purposes, including profiling, insofar as it is related to said direct marketing.

The data subject is therefore informed that, should he/she consider that the processing of his/her personal data breaches the provisions of the GDPR, he/she is **entitled to make a complaint** to the Guarantor, as provided for by Article 77 of said Regulation or to apply to the appropriate courts (Article 79 of the Regulation).

Rome, 25 May 2018

RUFA Srl
Rome University of Fine Arts