

## ZAVOD ZA NOVODOBNO IZOBRAŽEVANJE (ZNI)

### DATA PROTECTION POLICY

#### 1. General

Institute for New Age Education, nonprofit organization, registered in Slovenia and found at address Pasterkova ulica 13, 2000 Maribor (hereafter ZNI) is committed to process individuals' personal information in accordance with fair information practices and applicable data privacy laws.

The purpose of ZNI Personal Data Protection Policy (hereinafter: Policy) is to inform participants, partners and other persons (hereinafter referred to as: Individuals) with purposes, type of method and scope of personal data processing with ZNI, Pasterkova ulica 13, 2000 Maribor (hereinafter: ZNI) and the rights of individuals in this field.

Essential definitions in relation to the personal data processing:

»personal data« means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;

»processing« means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

»controller« means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;

»processor« means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

This Policy is in line with the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation; GDPR) and includes following information:

- ZNI contact information;
- Purposes, type of method and scope of individuals personal data processing with ZNI;
- Cross-border flows of personal data with third parties or with countries not established in the European Union;
- The envisaged period for which each personal data will be stored;
- Rights of the data subject;
- The right to file a complaint concerning the personal data processing.

#### 2. Responsibility for the processing of personal data

This Policy explains how ZNI processes personal information of employees, participants, interns, former employees, beneficiaries, contractors, consultants and other individuals, being in any kind of relationships or other forms of collaborating with ZNI, for the purposes specified below.

Controller of individuals' data is ZNI, Sokolska Ulica 45, 2000 Maribor, Slovenia (office address), who processes all personal data in accordance with applicable law:

- Currently valid Personal data Protection Act;
- Regulation (EU) 2016/679 EP and Council of 27.4.2016 (GDPR).

Obligations and rights of the controller also apply to the contractual processor with whom has been signed the contract for the processing of personal data.

### **3. Collection and Use of Personal Information**

ZNI may collect personal information, either directly from individuals' a or from third parties (such as partner in Erasmus+ project, as a contract representative of the partner etc.) We may collect the following types of personal information:

3.1.) About employees, students, practitioners, trainees and volunteers (hereinafter referred to as a worker);

- name and surname, personal identification number (or date of birth if the person does not have a personal identification number), tax identification number, residence address (street, house number, city, postal code, municipality, country, temporary residence address (street, address, city, postal code, municipality, country), education and other competence (shown with cover letter and CV), if worker is disabled (category of disability), if the worker is partially retired or worker carries additional work with another employer (the date of conclusion of the contract of employment, date of commencement of work, type of contract of employment, job title or details about the type of work for which the worker has concluded a contract of employment (student, apprentice, trainee, volunteer, etc.) the number of hours weekly regular working hours, working hours, the place where the employee performs work and the date of termination of the employment contract;
- labour costs: the number of the transaction account to which the salaries and other receipts are paid, the gross wage for full-time work, the gross wage for part-time work, the gross wage for full-time work (overtime), the gross wage compensation , which are charged to the employer; arrears and wage compensations charged to the employer paid in accordance with the collective agreement or employment contract (gross arrears and wages), extraordinary payment (payment on other bases, which is not a regular monthly salary), reimbursement of costs related to work, annual holiday allowance, anniversary bonuses, additional payments for workers' social security, voluntary pension insurance payments, solidarity assistance, severance pay, training costs for workers, payroll taxes, other labour costs;
- working hours: data on the number of hours, the total number of hours worked by full-time and part-time working with the type of working time type, the hours worked overtime, the hours not worked, for which compensation is received from the employer's assets, by the type of refund code, the hours not worked for which salary compensation is received from other organizations or employers and bodies with a type of refund code, hours not worked for which no salary compensation is received, number of hours at work at work for which the insurance is considered an age with an increase, or where supplementary pension insurance is mandatory, with a status type code;
- other information about workers for which the employer has an appropriate legal basis for their processing or consent of the worker (eg data on administrative prohibitions, data on own vehicle of a worker who uses it for job related purposes, data on family members) and other contact details such as e-mail, phone number, photographs related to work, health information etc.

3.2.) Personal data relating to other individuals who are in a different contractual relationship with ZNI (participants in practical training, etc.):

- Personal identification information, such as Individuals names and surnames, home addresses, telephone numbers, e-mails, date of birth, gender, Social Security Numbers (SS), data on citizenships and photos;
- Family and emergency contact details;
- Work- related information, educational and training information, (information in CV and cover letter) to organize mobility training programme that suits participants level of working experiences and other competences;
- Information related to the administration of operational activities of everyday activities of ZNI;
- Health data;
- Information for compliance with laws, such as Health and Safety at Work Act etc.

Processing Purposes:

- For the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract (as an employer, as a sending organisation for Slovenian candidates on mobility abroad, and as a Hosting/intermediary organisation in Slovenia for candidates from abroad for organizing mobility training and as a Supporting/counselling institution);
- workforce administration and payroll;
- the administration of information systems;
- internal reporting,
- external reporting to European Commission for implementation of mobility programs,
- other legal and customary business-related purposes;
- fulfilling contractual and legal obligations of individuals involved in relations with ZNI.

#### **4. Legal Bases for Processing**

These uses of personal information are based on one of the following legal bases, as applicable:

- the need to process individuals' personal information for the performance of the contract or agreement, or to take steps to enter into a contract with individuals;
- ZNI's legal obligations as an employer and partner in mobility training programme;
- ZNI's legitimate business interests including general human resource administration, general business operations, disclosures for auditing and reporting purposes, internal investigations, contractual obligations with third parties, management of network and information systems security, and the protection of ZNI's assets; and
- in some specific and limited circumstances, Individuals' consent (for processing photos and other sensitive information; such as health data).

#### **5. Sensitive Personal Information**

In addition, ZNI may process sensitive personal information if it is needed for legitimate business objectives, for the performance of the contract or if it is required to comply with applicable law. Sensitive personal information will not be collected, processed or transferred, except where adequate privacy protection mechanisms are in place and after having first obtained Individuals' informed consent, if required by law.

This data will be separated from other personal data and will immediately destroyed after there is no reason for obtaining them. Only authorised people will have access to them.

#### **6. Disclosures od Personal Data and sharing with third party**

Personal data of individuals will be processed in accordance with the principle of data minimization. Those safeguards should ensure that technical and organizational measures are in place. Information of individuals will be disclosed only to authorized persons working in the Institute.

ZNI may disclose Individuals' personal information for legitimate purposes to:

- Other ZNI partners of the mobility programme or other entities, who perform services on our behalf for the aforementioned purposes;
- Any recipient, if we are legally required to do so, such as by court order or applicable law;
- Any recipient when reasonably necessary such as in the event of a life-threatening emergency.

### **7. Accuracy of personal data**

ZNI takes reasonable steps to ensure personal information is accurate, complete, and current. Individuals have shared responsibility with accuracy of their personal information, to notify ZNI of any changes related to their personal information.

### **8. Individuals' personal Information Rights**

Individual may request termination of the processing personal data at any time in methods described under number 12. This doesn't refer to personal data which Company is obliged to process in accordance with the applicable legislation.

- Access, Correction and Transmission

Individuals may reasonably access the personal information pertaining to Individuals that is on file with ZNI. Individuals also have the right to request ZNI to correct incomplete, inaccurate or outdated personal information. To the extent required by applicable law, they may also request to transmit personal information which they.

- Objection

ZNI respects Individuals right to object to any uses or disclosures of their personal information that are not (i) required by law, (ii) necessary for the fulfilment of a contractual obligation, or (iii) required to meet a legitimate need of ZNI as an employer and partner organization (such as general human resource administration disclosures for auditing and reporting purposes, internal investigations, management of network and information systems security, or protection of ZNI's assets). If they do object, ZNI will work with them to find a reasonable solution. They may also withdraw their consent at any time for processing of their personal information based on gained consent.

- Deletion

Individuals may request the deletion of their personal information as provided by applicable law. This applies, for instance, where their information is outdated; where the processing is not necessary or is unlawful; where they withdraw their consent to ZNI's processing based on such consent. In some situations, ZNI may need to retain their personal information pursuant to ZNI's legal obligations or for the establishment, exercise or defence of legal claims.

- Restriction of processing

Similarly, and where provided by applicable law, Individuals may request ZNI restricts processing of their personal information.

- Individuals have the right to get a copy of their personal data.

Individuals may exercise these rights free of charge by contacting ZNI as described below. In all cases, they have a right to file a complaint with a Data Protection Authority (Information Commissioner of the Republic of Slovenia, Zaloška 59, SI-1000 Ljubljana) for breach of Personal data Protection Act and other currently valid law in this area.

## **9. Information Security**

ZNI takes precautions to protect personal information from loss, misuse, and unauthorized access, disclosure, alteration, and destruction. ZNI has taken appropriate technical and organizational measures to protect the information systems on which Individuals' personal information is stored. ZNI contractually requires from suppliers and service providers to protect Individuals' personal information.

## **10. Office security**

All office places of ZNI are protected by organizational and technical measures that prevent unauthorized persons from accessing all person data. Access to all office places is possible and permissible only during working hours, and outside of working hours only on the basis of the authorized person. Keys of all office areas are used and stored in accordance with the instructions of the authorized person. Outside of working hours, personal data is stored in locked fireproof cabinets in the working area.

Computers or other hardware on which personal data are processed or stored is switched off and physically or programmatically locked out in time when ZNI is closed. Access to personal data stored on the computer's disk is encrypted.

Maintenance and repair of computer hardware and other equipment with which personal data is processed is permitted only with the knowledge and approval of the authorized person (or authorized personnel) and can be performed only by authorized services and their maintenance personnel who have a service agreement with the organization computer or hardware.

Persons who are not employed in an organization must not enter unaccompanied or without presence of an employee.

## **11. Retention of personal data**

Personal data of individuals will be retained as long as necessary to achieve the purpose for which it was collected, usually for the duration of any contractual relationship and for any period thereafter as legally required or permitted by applicable law.

Personal data of individuals can be stored 5 years after the termination of the contractual relationship with the ZNI or 5 years after the consent has been obtained, for evaluation reasons of European Commission. This Policy reflect applicable statute of limitation periods and legal requirements.

## **12. Obligation to provide personal data**

For implementations of contractual relationship Individuals to whom the data relates, must provide all the legally required personal data and when necessary also regularly update them. Any changes of personal data must be immediately notified to ZNI.

If an individual does not provide the required personal data or information or he/she does not agree with his/her data processing which is strictly necessary for the performance of a contractual relationship or they are processed for legal reasons ZNI cannot provide contractual relationship with the individual or it will be forced to cancel it.

## **13. Processing personal data of individuals under the age of 15**

ZNI processes personal data of individuals under the age of 15, which requires a special consent only if, his / her parent, foster parent or guardian consents to process such personal data.

#### **14. Contact information in case of the breach of personal data**

When Individuals have any questions about this notice or if they believe that their personal information is not handled in accordance with the applicable law or this notice, or if they want to exercise their rights, they have several options how to get in contact with ZNI:

- with telephone: +386 40 436 839,
- by email: [sonja.markic@zni.si](mailto:sonja.markic@zni.si),
- either send my cancellation by post,
- or personally deliver it to the following address: Sokolska ulica 45, 2000 Maribor during the office hours (Mon-Fri: 8am to 4pm).

#### **15. Information to be provided where personal data have not been obtained from the data subject**

When an individual does not have the information where ZNI got his personal data, ZNI shall provide the information referred:

- within a reasonable period after obtaining the personal data, but at the latest within one month, having regard to the specific circumstances in which the personal data are processed;
- if the personal data is to be used for communication with individual, at their first communication; or
- if a disclosure to another recipient is envisaged, at the latest when the personal data is first disclosed.

#### **16. Final provisions**

These Policy may be amended or updated at any time. Valid is only the last version, which is accessible on ZNI web page: <http://www.zni.si/> and in the physical form this Policy is available free of charge at the Company's registered office.

These Policy shall enter into force on 24th of May 2018.

Maribor, 24.5.2018