

"COVID- 19" DATA AREA - APS COLORE: INFORMATION ON PROVIDED DATA PROCESSING - Reg2_section6.8_v. 16_05_2022

In accordance with Art. 13 of the EU Regulation 2016/679 (GDPR) and legislative decree. 196/2003 (Privacy Code), in relation to personal data of which APS Colore will become available due **to the purposes of** prevention from COVID-19 infection, we communicate the following.

DATA CONTROLLER AND CONTACT DETAILS:

APS Colore is the Data Controller, identifiable in the figure of its President Pro-tempore, domiciled for the office in Via Moncucco 29, 20142 Milan and who can be contacted at the phone number 0289539954 or by email at privacy@associazionecolore.it.

PLACE AND METHOD OF PROCESSING, TYPOLOGY OF DATA PROCESSED AND CATEGORIES OF DATA SUBJECTS:

Data processing **is carried out by the Data Controller and/or by the subjects designated for processing** under the responsibility of the Data Controller (ex art. 2 quaterdecies dl, 101/2018), at the headquarters of APS Colore or remotely in compliance with the principles of correctness, lawfulness and transparency provided for by the GDPR and the new Privacy Code guaranteeing the integrity and confidentiality of the data and with the full protection of the data subjects' rights.

The type of personal data requested depends on the regulations in force at the time of access to the center and are provided directly by the interested parties, the same may concern direct identification data including:

- Full name and address, preferably telephone (to fill in the daily attendance register and for any tracking operations)
- Real-time temperature detection
- Validity of the COVID-19 Green Certifications and the "EU Digital COVID Certificates"

The body temperature data is not transcribed or stored, and it is not associated with other personal data. If needed, only the reasons for preventing access to the association headquarters of workers/volunteers will be documented.

The Data Controller identifies the **subjects responsible for temperature detection and Green Certifications validity verification (delegates)** by authorizing them in a specific way and providing them with operational instructions to be respected for the protection of the information they collect, designating them for the processing of data.

Other data that could be processed following communication by the data subject and/or on his express communication and/or through filling in a possible self-declaration, are:

- the information, provided by the interested party, regarding ***having had contact with subjects positive to COVID. 19***, or to ***come from areas at risk***.

Those interested in the above treatments are indicated below by category:

- Participants: All categories of interested parties who actively or passively participate in the initiatives and services proposed by APS Colore
- Visitors: All categories of interested parties (Members, Volunteer Members and all categories of Third Parties) that access the association center.

In addition, only with reference to the categories of data subjects: Volunteer Members and Third Parties with whom a Working Relationship is in place, in the light of the current regulatory framework, it is possible that personal data of the worker or volunteer affected by Covid-19 or *who presents the symptoms* of it may be processed, **on his condition of positivity to Covid-19:**

- when informed directly by the worker/volunteer; Or
- to the extent necessary in order to provide cooperation with the health authority; Or
- for the purpose of readmission to the workplace of the worker or volunteer, already tested positive for Covid-19 infection.

Still for this category of interested parties (volunteer members and third parties with whom an Employment Relationship is in place), in the event of flu symptoms (if occurred at the access on site or during the performance of activities), it is also possible that will be treated the data relating to statements certifying:

- that he has undergone a suitable procedure for momentary isolation

Finally, always for these categories of interested parties, it is possible that data are processed through the Competent Doctor of those specific cases in which it is considered that the particular **condition of fragility** also related to the state of health of the worker/volunteer suggests the employment in areas less exposed to the risk of infection. For this purpose, it is not necessary to communicate to the employer (President) the specific pathology the worker or volunteer is affected with.

To meet the need to ensure that access to the health data of the data subjects is allowed only to the Competent Doctor and specially authorized persons, the law provides that the **Employer (President)**, can **be informed only about the assessment of suitability, unsuitability or suitability with prescriptions or limitations to the specific job** held by the Worker (and therefore by the volunteer), but **cannot know the diagnosis** made by the doctor. The assessment of suitability, according to the model provided for by law, must include, therefore and only:

- the details of the worker/volunteer;
- the work risk factors to which he/she is exposed;
- the assessment of suitability, unsuitability or suitability with prescriptions or limitations.

In any case, only the necessary, adequate and relevant data will be collected with respect to the prevention of Covid-19 infection, refraining from requesting additional information about the person who has been positive, the specific locations visited, or other details related to the private life.

The **collection of data** can take place **through** temperature detection tools, paper forms and registers, as well as specific documents, verbally or by email, and also through the methods indicated by the competent Authorities; **their processing can be through** paper, digital (if needed), and by any methods indicated by the competent Authorities. In full compliance with the provisions of Art.5 GDPR the **data collection** takes place at the data subjects, some personal data including particular data (related to health), as already indicated above, could be **collected indirectly** through the competent Health Authorities.

In case someone won't be granted access, we ensure that we will always guarantee the confidentiality and dignity of the interested parties. *The same guarantee is always insured even if a worker/volunteer communicates to the Data Controller, outside the company context, contacts with subjects positive to COVID-19 and also in the case a worker/volunteer who during the activities develops fever, respiratory infection or other flu symptoms is dismissed.*

Finally, **with reference to the validity verification of the Green Certificate**, the official "VerificaC19" app allows the validity verification of the COVID-19 Green Certifications and the "EU Digital COVID Certificates" by reading the "QR" code of the certificate framed by the verifier's mobile device, and does not provide for the storage or communication to third parties of the scanned information (the verification takes place offline). The QR Code does not reveal the health event that generated the Green Certification and the only personal information the designated can see are only those necessary to ensure that the identity of the person corresponds with that of the holder of the Certification. Once the Certification has been checked, exclusively for the purpose of countering any cases of abuse or circumvention of the obligation to possess the green pass, **it is also possible to request participants / visitors to demonstrate their personal identity by showing an identity document.**

It is also announced that the data will be automatically made available by the VerificaC19 App. The App is developed and released in full compliance with the protection of the user's personal data and current legislation, in particular Legislative Decree 22/4/2021, n. 52, as well as the European technical specifications "Digital COVID Certificate" approved by the "eHealth Network" of the European Union.

It is specified that the verification of certifications does not involve, in any case, the collection of the holder's data in any form.

It is therefore absolutely FORBIDDEN to store in any form the data displayed on the screen of the device used by the designated. Specifically:

- the data must only be displayed;
- the data must not be collected, transcribed or stored under any circumstances;
- the processing of data must be carried out in a lawful and correct manner;
- personal data must be processed solely for purposes related to the task performed;
- absolute confidentiality must be maintained on the data processed;
- the obligations relating to the confidentiality of the data must be observed even after the termination of this assignment.

Please also refer to the specific information regarding the processing of:

- data relating to general relations existing with APS Colore (Information - Data Area: General);

PURPOSES:

Personal data will be processed exclusively for Covid-19 contagion prevention purposes, in execution of the Anti-Contagion Security Protocol adopted pursuant to Article 1, n. 7, lett. d) of the DPCM dated 11 March 2020.

In addition, the personal data strictly necessary for the verification of the possession of Covid-19 green certifications by the participants / visitors (including volunteers / workers) will be processed, where and as required by the legislation in force at the time of access to the premises.

LEGAL BASIS OF THE PROCESSED DATA:

Personal data will be processed exclusively for Covid-19 contagion prevention purposes, in execution of the Intervention Plan adopted by APS Colore containing *"measures to prevent and contain the spread of Covid-19 at the headquarters of the social integration center in via Moncucco 29 in Milan"*, adopted pursuant to art. 1, n. 7, lett. d) of the DPCM dated 11 March 2020.

Specifically, for the control of the green certificate through the official government application, the legal basis of data processing is the need to fulfill a legal obligation to which the Data Controller is subject. In addition, the processing is necessary for reasons of significant public interest pursuant to art. 9, par. 2, letter g) of EU Regulation 679/2016. The regulatory source from which the above legal obligations derive, for the Data Controller, is constituted by art. 9-ter of Legislative Decree no. 52 of 22 April 2021, converted, with amendments, by Law no. 87 of 17 June 2021, introduced by art. 1, paragraph 6, of Legislative Decree no. 111 of 6 August 2021, as well as by the Prime Ministerial Decree of 17 June 2021 and ss. mm. ii. ; therefore by the decree law of 16 September 2021 nr.125 and by the Decree Law 21 September 2021 n.127

NATURE OF DATA PROVISION (POSSIBLE OBLIGATION TO COMMUNICATE DATA AND CONSEQUENCES):

The provision of the above data is necessary to access APS Colore headquarters in Via Moncucco 29 in Milan. Any refusal to give them will make it impossible to access or remain in the association headquarters.

The "contact information" requested at the center entrance, used to fill in the daily attendance register and provided by the data subject (preferably a telephone number), is a data aimed at facilitating the tracking operations (with the purpose of identifying and manage the contacts of probable or confirmed COVID-19 cases), its failure to provide could therefore exclude the possibility of being contacted for tracking purposes arranged by the health Authorities, as well as granting access to the center.

RECIPIENTS OF PERSONAL DATA:

More specifically, the data collected for the achievement of the above purposes could be transmitted, **in addition to the subjects designated** for processing under the responsibility of the Data Controller, to the company that offers PEC service and @associazionecolore.it email. The data may also be transmitted to third parties if necessary for health surveillance operations and to cooperate with the health authority for reasons of public health prevention.

DATA RETENTION PERIOD:

Where and when processing, data used to fill in the attendance register to trace close contacts must be kept for 14 days. Data relating to temperature detection cannot be kept because their registration is not envisaged. All other data processed will be kept for a period of time not exceeding that of necessity and/or usefulness to achieve the indicated purpose, and for the time in which APS Colore is subject to storage obligations, beyond the desired end of the state of emergency, for other purposes provided by legal rules or regulations, and to comply with orders given by Public Authorities and/or Supervisory Bodies.

There is no storage and retention of personal data contained in the COVID-19 Green Certification (green pass) or in the medical certification for exemption from the vaccination campaign.

RIGHTS OF THE PARTY CONCERNED:

The data subject enjoys a series of rights aimed at protecting his person, as well as the lawfulness and correctness of the data processing, including:

- right to access his/her personal data and information related to them;
- right to rectify inaccurate data or to integrate incomplete data;
- right to delete personal data ("right to be forgotten") about him/her (if one of the conditions indicated in Article 17(1) of the GDPR occurs and in compliance with the exceptions provided in paragraph 3 of the same Article;

- right to limit the processing of his/her personal data if one of the conditions indicated in art. 17(1) of the GDPR occurs and in compliance with the exceptions provided for in paragraph 3 of the same Article;
- right to data portability in cases where the legal basis of the processing is the contract or consent, and the same is carried out by automated means, in a structured and readable format on automatic media also in order to communicate such data to another data controller;
- right to limit the processing of his/her personal data, if one of the hypotheses indicated in art. 18, paragraph 1 of the GDPR occurs, or to oppose to recurring special personal situations, therefore in the cases indicated in Article 21 of the GDPR;
- right to withdraw consent at any time, limited to cases where the processing is based on his/her consent for one or more specific purposes and concerning common personal data (e.g. date and place of birth or place of residence), or particular categories of data (e.g. data disclosing racial origin, political opinions, religious beliefs, state of health or sex life). The processing based on consent and carried out before the withdrawal of the same still retains its lawfulness;
- file a complaint with a supervisory authority (Data Protection Authority in Piazza di Monte Citorio, 121 - 00186 Rome - www.garanteprivacy.it).

To exercise and protect your rights, for any further information and to obtain the extended and detailed information, you can contact the **Data Controller** by calling **the number 0289539954** or by writing at **privacy@associazionecolore.it**