

DISCLOSURE ON PERSONAL DATA PROCESSING

LECTURE RECORDING - DISTANCE LEARNING CARRIED OUT DURING THE COVID-19 HEALTH EMERGENCY

Pursuant to Art. 13 of UE Regulations 2016/679, the University of Modena and Reggio Emilia, in its capacity as Data Controller, informs the teaching staff on the purposes and means for the processing of personal data collected when recording the distance learning lectures during the health emergency caused by Covid-19 outbreak.

This disclosure does not include the processing of personal data collected within the institutionally managed degree programmes, even when not falling within the health emergency in accordance with Distance Education procedures.

Data Controller and Data Protection Officer (DC/DPO)

The Data Controller is the University of Modena and Reggio Emilia, (UNIMORE) represented by the Rector. Data Controller contact info: urp@unimore.it

Pursuant to Arts. 37 et seq. of EU Regulation 2016/679, the University appointed a Data Protection Officer (DPO). Data Protection Officer contact info: dpo@unimore.it, PEC: dpo@pec.unimore.it.

Legal basis and purposes of the processing

The data processed relates to the audio and video recordings, and relevant multimedia presentations (Power Point, Animations, video camera recordings for documents or other technologies) used during the lectures. The professor decides whether the above data is recorded so that it will be available to students for future use.

The consent to data provision is purely optional.

The legal basis of the processing is the consent given by the data subject, and it may be expressed by his/her voluntary decision to start the recording through the IT procedure available on the platform used.

Processing modes

Recorded videos and multimedia files will be published on the e-learning platform or on the institutional pages of the University on which lectures are made available.

Data will be collected in accordance with the principles of relevance, completeness, and non-excess, for the purposes described in this disclosure. Personal data will be processed in accordance with the principles of fairness, lawfulness, transparency provided by the law, by means of tools used for recording and storing the data and in any way to the extent that its safety and the privacy of the data subject are ensured.

Categories of data subjects to whom data may be communicated or who may be made aware and any data transfer abroad

The data processed for the purposes outlined above will be made available to the students of the study programme managed by the professor, as well as to the employees and collaborators assigned to the competent UNIMORE offices authorised to the processing under Art. 29 of the GDPR. The data processed by also be made available to natural or legal persons who provide advice to or perform activities at the University for video recording and editing services.

Data retention period

The professor will decide the recording retention period and for how long it will be available to students, based on his/her study programme requirements. However, professors are advised not to retain the recordings for longer than seven days after the lecture date. The foregoing save as, in agreement with the University, the professor intends to use the recording for other and further purposes.

Rights of the data subject

Pursuant to Arts. 15 et seq. of EU Regulation 2016/679 and Art. 7 of Leg. Decree 196/03, the data subject has the following rights:

- **Right of access:** it allows data subjects to get the data controller's confirmation that data relating to them is being processed, and in that case, to get access to their personal data, as specified in Art. 15 of the GDPR;
- **Right of rectification:** it allows data subjects to obtain the rectification of their personal data that may be incorrect without undue delay, as well as the integration of incomplete personal data, also by providing an additional statement;
- **Right of cancellation:** it allows data subjects to have their personal data cancelled by the data controller without undue delay, if there are the reasons specified in Art. 17 of the GDPR;
- **Right of restriction to processing:** it allows data subjects to obtain the restriction to processing from the data controller when one of the conditions provided for by Art. 18 of the GDPR exists;
- **Right of data portability:** it allows data subjects to obtain - in a structured, commonly used, and e-readable format - personal data relating to them and given to a data controller, and to transfer that data to another data controller without hindrance from the controller to whom the personal data had been provided, when the conditions under Art. 20 of the GDPR exist;
- **Right to object:** it allows data subjects to object at any time, for reasons related to their specific situation, to the processing of personal data relating to them in those cases and under the provisions of Art. 21 of GDPR;
- **Right to withdraw consent at any time** under Art. 7 paragraph 3 of GDPR, without prejudice to the lawfulness of the processing made based on the consent subsequently withdrawn;
- **Right not to be subject to a decision solely based on automatic processing**, including profiling, that may cause legal effects on data subjects or similarly and significantly affect their person, in accordance with the provisions of Art. 22 of the GDPR

These rights may be exercised by sending a request to the Data Protection Officer to the contact info above.

Right to lodge a complaint with a supervisory authority

As regards a processing that data subjects consider non-conform to the regulation, they may lodge a claim with the competent supervisory authority. In Italy, it is the Authority for the protection of personal data. Alternatively, a claim may be lodged with the Authority of the EU Member State in which the data subject normally resides or works, or where the alleged infringement took place.

DISCLAIMER FOR THE USE OF PORTRAIT/AUDIO-VIDEO SHOOTING

Given that under Art. 96 of Law no. 633 of 22 April 1941, personal portraits may not be exposed, reproduced, or marketed without the permission of the person involved, unless the conditions provided in Art. 97 exist, stating that the permission of the portrayed person is not required when the reproduction of the image is justified by the reputation or the public office covered by need for justice or policing, by scientific, teaching, or cultural purposes, or when the reproduction is related to facts, events, and ceremonies of public interest or that were held in public:

I, the undersigned _____

With reference to the degree programme in _____

Academic Year _____

_____ Semester

AUTHORISE

the University of Modena and Reggio Emilia to use my images for the purpose of making videos and multimedia materials, by means of lecture recording, and exclusively for educational purposes, through their publication on the e-learning platform or the institutional channel of the University;

GIVE

free, non-exclusive permission to use of the Materials, including the rights under Arts. 12 to 19 of Law no. 633 of 22 April 1941;

DECLARE

- that under no circumstances the undersigned may claim upon the University of Modena and Reggio Emilia for the reimbursement of moral and material damage caused by third parties and/or uses not envisaged by this disclaimer;
- to take full responsibility for any statement made, and hold the University of Modena and Reggio Emilia harmless against any claim and/or legal action even from third parties;
- the undersigned also does not give consent to use the images in contexts that may damage decorum and personal dignity.

Date _____

Signature _____