UNIVERSITÀ
DEGLI STUDI
DI BERGAMO

# PRIVACY POLICY PURSUANT TO ARTICLE 13 OF EU REGULATION 2016/679 FOR THE PROCESSING OF PERSONAL DATA WITHIN THE CONTEXT OF THE PSYCHOLOGICAL COUNSELING SERVICE

The University of Bergamo (hereinafter "University") is committed to protecting privacy and personal data, in compliance with law provisions on the protection of personal data. This privacy policy is drawn up pursuant to article 13 of EU Regulation 2016/679 (GDPR) and provides information on the processing of personal data and describes how the University collects, uses and processes your personal data within the context of the psychological counseling service

**Data controller and contact details**
The data controller is the University of Bergamo, whose legal representative is the Rector pro tempore. The Data Controller can be contacted at the University of Bergamo, Via Salvecchio 19, CAP 24127, Bergamo (ordinary e-mail: rettore@unibg.it, PEC (certified email): protocollo@unibg.legalmail.it)

**Contact details of the Data Protection Officer**
Pursuant to article 37 and following of EU Regulation 2016/679, the University has appointed a Data Protection Officer (hereinafter "DPO") who can be contacted at the following email address: dpo@unibg.it. The Data Controller has tasked the DPO with responding to requests regarding the exercise of the rights of data subjects.

**Designated person**
Based on internal policy, the designated DPO is Dr. Elena Gotti, Head of the Training and Student Services Area at the University of Bergamo, who can be contacted at the following email address: elena.gotti@unibg.it

**Type of data we collect**
We hereby inform you that the data collected (identification, contact, and career details; healthrelated data [such as any SLD diagnosis or disability]; quality of service provided), which will be subject to processing (hereinafter "Data"), shall be processed exclusively for purposes related to the psychological counseling service.

**Purpose of processing**
The Data voluntarily provided will be used to ensure the effective organization of the Counseling sessions and to monitor fair access to the service by students. The Data collected may also be used in an anonymous and aggregated form for statistical analysis aimed at improving the quality of the service at the local level and for scientific dissemination.

**Legal basis of the processing**
Within the context of the psychological counseling service, your personal data, both general and special categories, are processed on the basis of your explicit consent, pursuant to article 6 paragraph 1 letter a) and article 9 paragraph 2 letter a) of EU Regulation 2016/679 (hereinafter, the "GDPR"). Regarding the processing of any aggregate data for statistical purposes and scientific dissemination, such Data shall be processed on the basis of article 6 paragraph 1) letter e) and pursuant to article 9, paragraph 2, letter g) of EU Regulation 2016/679 (hereinafter, "GDPR").

**Processing Methods**

Data are collected through the dedicated web portal used to access the service, the link to which is available on the institutional website. The privacy notice will be provided within the portal itself and on the University's website, and consent may be given by selecting the appropriate option by ticking the corresponding checkbox.

Pursuant to article 5 of the GDPR, the processing of personal Data and information collected will be based on respect for fundamental rights and freedoms and the principles of correctness, lawfulness, transparency, Data minimisation, accuracy, integrity, and confidentiality.

To achieve the purposes indicated above, the Data will be processed within the University by subjects specifically appointed by the Data Controller and by subjects authorised to process the Data who will operate under the direct responsibility of the Data Controller. They will be adequately informed and trained in Data protection matters.

The Data will be processed with the aid of IT tools, compliant with the provisions of the GDPR, with adequate security measures suitable to prevent loss, illegitimate or incorrect use, as well as access by unauthorised subjects (e.g., profiling of access authorisations to databases, protection of the University network, firewall, etc.).

**Communication of Personal Data**

Your Data will not be used and communicated for purposes other than those of the specific purpose for which they are collected.

To achieve the purposes of the processing, and if the hypotheses justifying the processing exist, as highlighted in the paragraph "Legal basis of the processing", your Data may be disclosed to the following third parties and, if needed for the purposes of the service, collected by those same third parties:

- university services and offices, including student services, such as the Office for Students with Disabilities and Specific Learning Disorders, as well as faculty and technical-administrative staff involved in the student's placement or the management of their academic program, limited to necessary and relevant information;
- external subjects for the institutional purposes of the University or in compliance with legal obligations or where the Data subject has given consent to the transfer in order to access the service;
- external subjects, identified as Data Processors pursuant Article 28 of Regulation (EU) 2016/679, the General Data Protection Regulation (GDPR);
- the Public Security Authority, Judicial Authority, Health Authorities, or other public bodies for the purposes of defence, national security, and investigation of crimes, as well as in compliance with legal obligations, where cases of crime are identified;
- CINECA, an Italian interuniversity consortium;
- disclosure to authorized parties or, subject to consent, to Health Protection Agencies (*Agenzie di Tutela della Salute*, ATS), Local Health and Social Care Authorities (*Aziende Socio-Sanitarie Territoriali*, ASST), other Community Mental Health Centres (*Centri Psico-Sociali*, CPS), including those not affiliated with an ASST, and accredited public or private counselling centres, where necessary or helpful to ensure continuity of support.

**Data Retention**

The collected Data will be stored for no longer than is necessary for the purposes for which they are processed, in compliance with the *"principle of storage limitation"* (article 5 of the GDPR).

Specifically, the personal Data processed within the scope of the service, including administrative and organizational Data regarding access, as well as data concerning the content of the counseling sessions and those processed under the Agreement with ASST Papa Giovanni XXIII, shall be retained until December 31, 2030.

In any event, the possibility of further retention remains reserved, within the limits of the statutory limitation periods provided by law, for legal defense.

**Transfer of Data to a Third Country**
The University does not transfer Personal Data, either directly or through third parties, to countries outside the European Union or to international organizations.

**Rights of the Data Subject**
The Data subject may exercise his/her rights by contacting the Data Controller or the Data Protection Officer at the addresses indicated in this privacy policy.
If the conditions exist, the data subject has the right to exercise the right to access his/her personal data (art. 15 GDPR); the right to rectification (art. 16 GDPR); the right to erasure (except for data contained in documents that must be mandatorily retained by the University and unless there is a legitimate overriding reason to proceed with the processing) (art. 17 GDPR); the right to restriction (art. 18 GDPR); the right to data portability (art. 20 GDPR); the right to object (art. 21 GDPR). Furthermore, the data subject has the right not to be subjected to a decision based solely on automated processing, including profiling (art. 22 GDPR).

**Complaint**
Data subjects who believe that the processing of their personal data is in violation of the provisions of the GDPR have the right to lodge a complaint with the Supervisory Authority as provided for by art. 77 of the GDPR, according to the procedures indicated on the website https://www.garanteprivacy or being proceedings before the competent courts pursuant to art. 79 of the GDPR.

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