



Ministry of Education and Merit

NOTICE ON PERSONAL DATA PROCESSING

performed for the purposes of accessing Unica

(Articles 13 and 14 of EU Regulation 679/2016)

The Ministry of Education and Merit (hereinafter, also "**Ministry**" or "**MIM**"), in its capacity as data controller (hereinafter, also "**Data Controller**"), wishes, with this information notice, provided pursuant to Articles 13 and 14 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 (hereinafter, also "**Regulation**" or "**GDPR**"), to provide you with information about the processing of personal data performed in the context of the management of access to the "Unica" Platform (hereinafter, also "**Platform**"), provided for in Article 21, paragraphs 4-ter et seq. of Decree-Law no. 75, containing "*Urgent provisions on the organisation of public administrations, agriculture, sport, employment and for the organisation of the Jubilee of the Catholic Church for the year 2025*" converted, with amendments, by Law no. 112 of 10 August 2023.

The Platform has been set up in order to make available to students aged 10 (ten) years and over, attending lower and upper secondary schools, non-attending students who will take the State Examination as private students at an Educational Institution (hereinafter also referred to as "External Candidates"), students who have graduated from the 2023/2024 school year (hereinafter also referred to as "Graduates"), parents/exercising parental responsibility, teachers, tutors, guidance teachers, school managers/coordinators, school secretarial staff and administrative staff of the Directorate dealing with MIM matters (all together hereinafter, also "**Interested Parties**" or "**Users**") a single channel of access to the information assets held by the MIM and the institutions and schools of all levels and educational institutions (hereinafter, also "**School Institutions**" or "**Institutions**"), through which students and families can make use of the digital services offered by them (hereinafter, also "**Digital Services**" or "**Services**") in a simplified manner.

Data controller

The Ministry of Education and Merit, based in Rome at Viale di Trastevere no. 76/a, 00153, is the data controller for the purpose of managing access to the Platform.

In addition, the Ministry is the data controller for the following institutional purposes:

- a) management and technical maintenance of the Platform;
- b) provision of the technical support service;
- c) distribution of financial contributions among the School Institutions within the School Trips Digital Service;
- d) general monitoring and governance of the Platform, also in order to verify the effectiveness of the Services made available to families and students;
- e) support for its decisions in the field of school education, promotion of the acceleration of the digitisation process of School Institutions, and improvement of the quality of Services provided in the education system.

Within the scope of the purposes referred to in points a), b), and c) above, the Ministry processes personal data of individual Users only where strictly necessary, in compliance with the principle of minimisation set out in Article 5 of the GDPR.

Within the scope of the purposes referred to in d) and e) above, MIM exclusively displays data aggregated according to special procedures, organised in reports and exclusively concerning metrics and indicators relating to technical and organisational profiles connected with the use of the Platform.

Where strictly necessary, the Ministry, in the cases provided for by law, is also authorised to access the personal data processed within the Platform, in order to (i) comply with requests received from the competent judicial authorities and police forces; (ii) make reports to the competent authorities.

Data protection officer

The Data protection officer of the Ministry of Education and Merit can be contacted at the following address: rpd@istruzione.it

Data processor

Pursuant to Article 28 of the GDPR, the Ministry has appointed Società Generale d'Informatica S.p.A. (Sogei) (hereinafter also referred to as "**Data Processor**" or "**Processor**") as the party responsible for processing personal data, in its capacity as the party entrusted with the infrastructure, management and application development services of the Ministry's information system.

Legal basis for processing

The legal basis for the processing is the performance of a task of public interest or connected with the exercise of public authority vested in the Data Controller pursuant to Article 6(1)(e) and (3)(b) of the GDPR, as well as Article 2-ter of Legislative Decree No 196 of 30 June 2003, and in particular Article 21, paragraphs 4-ter et seq. of Decree-Law no. 75 of 22 June 2023, converted, with amendments, by Law no. 112 of 10 August 2023 as well as Ministerial Decrees no. 192 of 10 October 2023 and no. 124 of 18 June 2024 and the regulations referred to therein such as, in particular, Ministerial Decree no. 328 of 22 December 2022, concerning the adoption of the “*Guidelines for Guidance*”.

Personal data processed

From a structural point of view, the Platform consists of a public area and a private area, containing the Digital Services, the contents of which can only be accessed following a computer identification and authentication procedure carried out via the IAM platform of the MIM.

In particular, the Platform is interconnected with the National Student Registry (ANS) referred to in Legislative Decree no. 76 of 15 April 2005 and Ministerial Decree no. 692 of 25 September 2017, as well as with the National Education Registry (ANIST), established by Article 62-quater of the CAD, when it becomes operational.

With regard to the procedure for accessing the private area, common personal data of Interested Parties such as personal details (first name, surname, date of birth, tax code) and contact details (e-mail address or mobile phone number, if any), as well as information retrieved via integration with MIM's Identity Access Management (IAM) system, are processed. This information relates, in particular, to:

- the User's personal data (i.e. first name, surname, e-mail address);
- information about educational qualifications (profiles and contexts):
 - headmaster/coordinator/school administrative staff: visible schools (strong school code);
 - teacher: classes (course year, section, location code) and visible schools (strong school code);
 - tutor: students (tax codes) and visible schools (strong school code);
 - parent/exercising parental responsibility: children/students (tax codes);
 - student: contexts not provided for by IAM.

With specific reference to personnel authorised to access the Platform, it should be

noted that only adequate, relevant and necessary personal data are acquired during authentication for the above-mentioned purposes (i.e. private contact data are not acquired).

Access to the private area of the Platform is also granted to the guidance teacher, for the purposes of consulting statistical and aggregate information contained within Unica that relates both to the relevant School Institution and to individual classes.

Methods and purposes of processing

The processing of data is carried out by the Data Controller in order to pursue the institutional aims stated in the 'Data Controller' section.

With regard to the purpose of access management, first of all, it should be noted that Users will be able to log on to the Platform by means of SPID, CIE, CNS and eIDAS access passkeys, using an interactive interface system which, by identifying the User who logs in, varies in display and content depending on the User's age and the activities that the User may perform within the Platform and the Services.

With the same methods, access is permitted only to students attending lower and upper secondary school, also through the Unica App. Should it be necessary, through the App, to enter information and/or read information from the User's device, specific consent will be obtained from the Controller. In the case of minors under fourteen years of age, consent shall be provided by the parent/exerciser of parental responsibility.

Access to the private area of the Platform enables the use of the Digital Services implemented within the same, in respect of which please refer to the specific information made available to the Interested Parties and available on the [Privacy page of the website unica.istruzione.gov.it](https://www.unica.istruzione.gov.it/privacy).

Access to Unica also allows the use of the Online Enrolment Service for enrolments to be carried out as from the school year 2024/2025, as set out in the relevant information notice.

Data processing is carried out in full compliance with the principles of fairness, lawfulness, appropriateness and relevance of processing, as well as minimisation and necessity as set out in the GDPR, for the above-mentioned purposes only.

The Platform is supplied through the following operations:

- i. interconnection with education-related information systems;
- ii. uploading of additional Data by Users, if not available in the manner set out in point i) above.

Processing is in all cases carried out electronically by means of recording, processing,

storage and transmission of data, with the aid of computerised tools.

The Data Controller adopts technical and organisational measures provided for in the applicable legislation, which are appropriate to guarantee a level of security appropriate to the type of data processed.

Optional or compulsory provision of personal data

The provision of personal data is necessary to ensure access to the private area of the Platform by Interested Parties.

Persons authorised to process data and system administrators

Persons authorised and specifically instructed by the Data Controller and the Data Processor, in accordance with Article 2-quaterdecies of Legislative Decree no. 196 of 30 June 2003, as well as system administrators identified and appointed in accordance with the Data Protection Authority Order of 27 November 2008, may access personal data for the purposes indicated above.

Recipients of data communication

Personal data will not be disclosed to third parties, except for possible requests for information by the judicial authorities and the judicial police, which are obligatory by law, and will not be disseminated.

Transfer of personal data to third countries or international organisations

In order to ensure the continuous availability of its services and to improve the way they are used, the Data Controller uses third party suppliers appointed in accordance with Article 28 GDPR that provide sufficient guarantees to implement technical and organisational measures to adapt the level of protection to the risk of personal data processing. Some of these suppliers may, as part of ordinary support and maintenance activities, transfer and process personal data in regions outside the European Economic Area on the basis of adequacy decisions of the EU Commission or equivalent adequate safeguards in compliance with applicable law.

Personal data retention period

The personal data processed in the context of access management is not stored within the Platform itself, as it is contained within pre-existing databases and stored therein in accordance with the relevant regulations, with the exception of the tax code

necessary for the purpose of recognising the User, which is saved within a special database of the Platform, which will allow it to be stored and displayed, in accordance with Article 5(1)(e) of the GDPR, for a period of time not exceeding that necessary for the purposes for which it was collected or subsequently processed, in accordance with legal obligations.

In particular, the tax code will be stored in accordance with the following timeframe:

- until the termination of the role in which they are authorised to use the Platform with regard to manager/coordinator, secretarial staff, teacher, tutor and guidance teacher Users;
- until the end of the student's school career for student and parent Users.
- for 1 (one) year starting from the date of graduation for External Candidates and Graduates only.

Browsing *log files* per profile, collected within the Platform, are instead kept for 12 (twelve) months, after which the data will be irreversibly deleted.

After the retention period has expired, the Personal Data and information subject to Processing will be irreversibly deleted.

Browsing data

Within the Platform, technical session cookies are used, regarding which please refer to the specific cookie policy available at [Privacy page of the website unica.istruzione.gov.it](https://www.unica.istruzione.gov.it/privacy).

Rights of Interested Parties

Interested Parties may at any time exercise their rights under Articles 15 et seq. of the GDPR, where applicable, by contacting the Data Controller as identified above.

In particular, Chapter III of the aforementioned GDPR regulates the rights and methods of exercising those rights, and attributes the following to Interested Parties:

- a) right of access (Article 15 of the GDPR), i.e. to obtain in particular
 - confirmation of the existence of personal data;
 - the origin and categories of personal data, the purpose and method of their processing;
 - the logic applied in the event of processing by electronic means;
 - the identity of the Data Controller, the Data Processor and the persons or

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categories of persons to whom the data have been or may be communicated;

- the period of retention;
- b) right of rectification (Article 16 of the GDPR);
- c) right of restriction of processing (Article 18 of the GDPR);
- d) right of objection (Article 21 of the GDPR);
- e) right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning them or significantly affects them in a similar way (Article 22 of the GDPR).

In relation to the processing of their data, they may exercise their rights by contacting the Ministry's data protection Officer as identified above.

Right of complaint

If Interested Parties consider that their personal data are being processed in breach of the GDPR, they have the right to lodge a complaint with the Guarantor pursuant to Article 77 of the aforementioned GDPR or to take legal action pursuant to Article 79 of the GDPR.

Automated decision-making process

No automated decision-making process is provided for within the meaning of Article 13(2)(f) of the GDPR.

Updates to this policy on personal data processing

This personal data processing notice may be updated in order to comply with any national and European legislation on the processing of personal data and/or to adapt to the adoption of new systems, internal procedures or for any other reason that may be appropriate and/or necessary.