

# PLATO

## **Information regarding the processing of personal data**

### **1. Introduction**

PLATO Ostrava, as an administrator of personal data, in order to comply with the principles of transparency following Regulation of the European Parliament and the Council (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and the information of data subjects (further only as “GDPR”) would like to inform you on the fundamental aspects of processing personal data which take place within the activities of the organisation as well as on your rights as data subjects and the ways of asserting those rights.

### **2. Why do we process your personal data?**

As part of the operation of the organisation we process personal data primarily for the following purposes:

- fulfilling the obligations of the organisation following the valid legislature;
- fulfilling the obligations of the organisation as an employer given by law;
- for the purposes of closing and executing contracts entered into by the organisation;
- protecting the property of the organisation as a justifiable interest of the organisation;
- marketing and promoting the organisation;
- on account of a justifiable interest of the data administrator.

### **3. Consent to processing and how to revoke it**

Processing for purposes outside those stipulated by special Acts is based on consent by the data subject. In the case that your consent was required during the acquisition of your data, you provide this data to the organisation of your free will for the purpose specified in the consent. You can revoke the consent you gave at any time. However, revoking consent does not effect the legality of processing the personal data before the revocation. You can revoke your consent personally at the organisation or in writing by a letter sent to the address Janáčkova 3139/22, 702 00 Ostrava or by e-mail to [posta@plato-ostrava.cz](mailto:posta@plato-ostrava.cz).

### **4. Where did we acquire your personal data?**

As a rule, personal data is acquired by the organisation directly from the data subjects during negotiations about closing a contract, offering services or reservation of events.

At the same time, the organisation processes photographs taken during events organised by PLATO Ostrava. The photographic documentation from the events of the organisation is usually preserved (archived) for a period of 5 years and to a limited scope it is simultaneously published on social networks and the website of the organisation. The photographs from the events are made and published based on the consent or permission by the photographed persons, or as part of the reporting licence for informing about the activities of the organisation.

### **5. To whom we hand over your personal data and why**

In order to meet the specified purposes personal data may be processed, apart from the organisation and its employees, by other persons – data processors based on contracts on processing personal data.

Following the provisions of the law your personal data may be handed over only to persons who may require their handing over based on the provisions of law, or to which the organisation is bound to provide this data in order to comply with obligations ensuing from the provisions of law.

On the basis of a justifiable interest on the part of the organisation some items of personal data may also be handed over to other persons, as recipients of personal data, specifically for the purposes of drawing a subsidy or

providing evidence of meeting the conditions of a subsidy programme with regards to a subsidy that has already been drawn.

## **6. Extent of processing of personal data**

In relation to the operation of the organisation personal data is processed in compliance with GDPR only within an extent necessary for achieving the individual purposes of the processing, usually within an extent, in which it was acquired from the data subjects. Once the given purpose has been achieved the personal data is stored in full extent in compliance with the provisions of law.

## **7. How long do we keep your data**

In compliance with the principles of GDPR personal data in a format which enables your identification is stored for the period necessary for achieving the specified purposes in conformity with the deadlines stated in relevant regulations, contracts, internal company rules or in the given consent (if given for a limited period only). After fulfilling the purpose of processing, the processing of personal data is terminated; nevertheless the documents subject to archiving continue to be stored for archiving purposes in accord with the relevant regulations and the document filing and shredding rules of the organisation. Some items of data may continue to be kept for a necessary period required by the purposes of the protection of the justified interests of the organisation, in particular the purposes of asserting or claiming legitimate rights of the organisation.

## **8. Your rights**

As a data subject, apart from the general right to information on processing, you have the following rights, the execution of which is fully respected by the organisation as the administrator of personal data:

- **right to rectification or making complete** of incorrect or incomplete personal data pertaining to you;
- **right to erasure** of the processed personal data, or “**right to be forgotten**”. This right represents the duty of the organisation as the administrator to dispose of your personal data provided at least one of the following conditions is met:
  - personal data is no longer needed for the purposes for which it was collected or otherwise processed,
  - the data subject revokes his/her consent and there is no other legal reason for processing,
  - the data subject raises objections against processing and there are no prevailing justified reasons for the processing,
  - personal data was processed unlawfully,
  - personal data has to be deleted in order to fulfil legal obligations,
  - personal data was collected in connection with an offer of services by an information company (on the internet) based on consent given by a child.

However, the right to delete is not an absolute right and GDPR regulates a number of circumstances under which deletion will not take place regardless of the above stated facts (see Section 17 paragraph 3 GDPR). In the case of a request for deletion you will always be informed whether the deletion has been executed and if not for what reason.

- **right of access** to personal data; the right of access means authorisation of the data subject to obtain, based on a request, information (confirmation) from the administrator (organisation) regarding whether his/her personal data is or is not processed, and if it is processed the data subject has the right to acquire this personal data and, at the same time, he/she has the right to obtain the following information:
  - purposes of processing,
  - category of effected personal data,
  - recipients or the category of recipients to whom the personal data was or will be made accessible,
  - planned period during which the personal data will be stored,

- existence of the right to require a correction or deletion of personal data from the administrator, as well as the right to restrict the processing of personal data and the right to raise an objection against processing personal data,
  - the right to lodge a complaint with the supervisory authority,
  - all the available information on the source of personal data, unless they have been acquired from the data subject,
  - the fact that automated decision-making, including profiling, is in operation.
- **right of portability** of personal data; the essence of this right is the possibility of obtaining, under certain conditions, personal data that pertains to you and that you provided to the organisation, in a structured, commonly used and readable format, and the right to require handing over of this data to another administrator. The conditions for exercising this right are as follows:
- it has to be processed based on your consent or for the purposes of executing a contract, and
  - the processing is automated.

Within the activities of the PLATO Ostrava organisation there is no processing in operation that would enable the exercising of this right.

- **right to object** against the processing of personal data with the organisation as the administrator of personal data for reasons related to a particular situation of the data subject; you can raise an objection against the processing of personal data which takes place based on the following legitimate reasons:
- the processing is necessary for fulfilling a task carried out in the public interest or during the execution of public authority that the administrator has been entrusted with,
  - the processing is necessary for the purposes of justified interests of the relevant administrator or a third party.

In the case of a raised objection PLATO Ostrava stops processing the personal data unless it provides evidence of serious justified reasons for the processing, which prevail over the interests or rights and freedoms of the data subject, or for the determination, performance or defence of legal claims.

An objection may be raised even against the processing of personal data for the purposes of direct marketing or profiling. In this case the administrator stops processing the data. During its activities PLATO Ostrava does not process personal data for the purposes of direct marketing.

- **right to restriction of processing** of personal data; restricted processing describes a situation when your stored personal data is marked in order to restrict its processing in the future; data which has been marked for restricted processing may be processed by the organisation as the administrator, excepting their storing, only with your consent, or for reasons of determining, execution or defence of legal claims, for reasons of protection of the rights of another natural or legal person or for reasons of an important public interest of the Union or one of the member states. You have the right to restricted processing in the following cases:
- when you dispute the correctness of personal data, for a period necessary for the organisation as the administrator to verify the correctness of personal data;
  - if you raised an objection against processing, for a period until it has been verified whether the justifiable reasons of the organisation as the administrator prevail over your justified reasons.
  - the processing is unlawful and you reject the deletion of personal data and require restricting its use instead;
  - the organisation as the administrator no longer needs the personal data for the purposes of processing, but requires it for the determination, execution or defence of legal claims.
- **right to revoke consent at any time**, if your personal data is processed based on your consent;
- **right to be informed about breach of security** of personal data in cases when the security has been breached and it is probable that this case of breaching of security of personal data will result in high risk for the rights and freedoms of natural persons;

- **right to lodge a complaint**, if you think that the processing of your personal data infringes GDPR; the supervisory authority is the Úřad pro ochranu osobních údajů (Personal Data Protection Agency) with residence at Pplk. Sochora 27, 170 00 Praha 7.
- **right not to be the subject of any decision based exclusively on automated decision-making**; this right ensures that as a data subject you will not be the subject of a decision based exclusively on automated processing, including profiling, which would have legal effects for you or affect you in a similar significant way, with exceptions stated in Section 22 Paragraph 2 GDPR. During its activities the organisation as the administrator does not use the processing of personal data based on automated decision-making or profiling.

## 9. How can you exercise your rights?

In the case of a request for asserting your rights in accordance with the previous section, information about the adopted measures will be provided without unnecessary delay, in any case within one month from receiving the request. However, this deadline may be prolonged by another two months if needed and given the complexity and number of requests. You will be informed about the deadline prolongation and the reasons for this prolongation within one month from sending the request. In the case that the organisation will not adopt the measures that you ask for, you will be informed about this fact without delay and within one month from receiving the request at the latest, including the reasons for not adopting the measures. If this is the case you can lodge a complaint with the supervisory body and ask for judicial protection.

All of your requests to exercise the rights in accordance with the previous section will be processed free of charge, excepting cases when the request is apparently groundless or inappropriate, e.g. because it is repeated. In this case the organisation may charge a reasonable fee for processing the request with regard to the administrative costs of the organisation.

## 10. How to contact us?

### Contact to the administrator of personal data:

PLATO Ostrava, a contributory organisation, IČO: 71294538, with residence at Prokešovo náměstí 1803/8, 702 00 Moravská Ostrava, the person responsible for personal data protection in PLATO Ostrava: Mgr. Marek Pokorný, director, contact: [marek.pokorny@plato-ostrava.cz](mailto:marek.pokorny@plato-ostrava.cz)

### Contact to the data protection officer:

Konečná & Zacha, s.r.o., lawyers, with residence at Lazarská 1718/3, Praha 1, PSČ: 110 00, IČO: 271 12 331, Mgr. Tomáš Zacha, a lawyer, reg. No. ČAK: 10038, email address: [dpoostrava@konecna-zacha.com](mailto:dpoostrava@konecna-zacha.com), telephone number: 221 990 455; (+420) 775 730 022, office hours for telephone contact: Mon 1-4pm, Wed 1-4pm

## 11. Information regarding contact details of the data protection officer

PLATO Ostrava, p. o., Prokešovo náměstí 1803/8, 702 00 Ostrava – Moravská Ostrava, IČ: 71294538, as the administrator of personal data, herewith informs you, in compliance with Section 37 Paragraph 7 Regulation of the European Parliament and the Council (EU) 2016/679 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 superseding Data Protection Directive 95/46/ES (general directive on the protection of personal data) (further only as “GDPR”), about the contact details of the data protection officer whom it has appointed for a period from 25/5/2018 to 31/12/2018.

### Identification of the data protection officer:

Konečná & Zacha, s.r.o., lawyers, with residence at Lazarská 1718/3, Praha 1, PSČ: 110 00, IČO: 271 12 331, registered in the business registry kept by the Municipal Court in Prague, Section C, file 149661.

### Contact details of the data protection officer:

The contact person is Mgr. Tomáš Zacha, a lawyer, reg. No. ČAK 10038, e-mail: [dpoostrava@konecna-zacha.com](mailto:dpoostrava@konecna-zacha.com), tel. No.: 221 990 455; +420 775 730 022