**PERSONAL DATA PROTECTION STATEMENT**

The aim of this document is to provide data subjects comprehensive information on processing of their data by the company **Kolektiv Ateliers a.s.** (hereinafter as „ **Company** “), according to respective law, in particular the Regulation (EU) 2016/679 of the European Parliament and of the Council 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, and repealing Directive 95/46/EC (hereinafter as „**General Data Protection Regulation**“ or simply „**GDPR**“).

1. **Definition of basic terms**

Words and terms used in this statement shall have the specific meaning as assigned to them by respective law:

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| **Personal data** | any information relating to an identified or identifiable natural person (“Data subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person |
| **Data subject** | natural person whose personal data we process, thus particularly our customers, employees, suppliers and other subjects |
| **Processing of personal data** | any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction |
| **Controller** | natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data and is responsible for such processing; for the purpose of this statement and **in relation to processing personal data of subjects stated herein the controller is the Company** |
| **Recipient** | natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not |
| **Processor** | natural or legal person, public authority, agency or other body which processes personal data on behalf and according to instructions of the Company  |
| **Consent** | any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her |
| **Special categories of personal data** | personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation |
| **Office for Personal Data Protection** | Czech Office for Personal Data Protection, with seat at Pplk. Sochora 27, Prague 7, zip code: 170 00, phone number +420 234 665 111, e-mail: *posta@uoou.cz* |

1. **Examples of processing personal data**

Company processes personal data of data subjects in connection with:

* Creation of works for our customers
* Presentation of our works and techniques
* Organisation of trainings and workshops
* Recruitment of new employees and the employment of existing employees or collaborators
* Browsing our website
* Sending newsletters concerning our products and services
* PR communication
* Procurement of goods and services from our suppliers
1. **Categories of personal data**

Personal data generally processed by our Company include (following list is demonstrative only and does not exclude processing of also other personal data which you provide to us):

**Identification data**: academic title, name, surname and, depending on circumstances, also others (e.g. occupation and/or job title, ID number, passport number, company ID number, VAT number, bank account number, date of birth, etc.)

**Contact details:** homeaddress or work address, telephone number, email address, data box ID and/or other contact identifiers

**Photos**: we can publish on our social media accounts photos or videos from courses, workshops, installations, exhibitions, openings, symposia and similar events where we present our works and techniques, which can capture participants at these events; the Company's website and social networks feature photos and videos of our employees or collaborating designers and artisans

**Sensitive data:** we only process this type of personal data in case of our employees (e.g. health data)

**Data from cookies in connection with browsing of our web site:** standard proper functioning of the website and measuring traffic, in some cases also including data from marketing cookies

**Other data about persons interested to collaborate with our Company or about job applicants:** data in the CV, motivation letter, employment certificate or recommendation from the former employer

**Other data about employees:** all data associated with a job performance in the Company (e.g. type of work, job title, work results and performance, salary information, information on social and health insurance, etc.)

1. **Purposes and legal basis for processing of personal data**

Company processes the above-mentioned personal data for the following purposes relying on the below mentioned legal basis (for the sake of clarity, individual purposes and legal basis for the processing are stated in relation to respective category of processed personal data. Purposes and legal basis for processing may also overlap in some cases):

|  |  |  |
| --- | --- | --- |
| **Categories of personal data**  | **Purpose(s) of processing** | **Legal basis for processing** |
| **Identification data** | * identification and evidence of customers, collaborators, employees, suppliers and other subjects
 | * + conclusion and performance of contract (works contract, cooperation agreement, employment contract or other contract)
	+ legitimate interest
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| **Contact details** | * communication with data subjects
* sending newsletters to customers
 | * + conclusion and performance of contract
	+ legitimate interest
 |
| **Photographs** | * + marketing purposes
 | * + legitimate interest
 |
| **Sensitive data** | * protection of health of employees and ensuring safe working environment
 | * + carrying out obligations and exercising specific rights in the field of employment and social security and social protection law
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| **Data from cookies on websites**  | * proper and secure functioning of the website
* tracking and analysing of website traffic
* selection of relevant advertising
 | * legitimate interest in the proper functioning of the website
* consent
 |
| **Other data from job applicants or potential collaborators**  | * assessing the quality and ability to perform an agreed type of activity or work
 | * conclusion and performance of cooperation agreement or employment contract
* exercise or defence of legal claims
 |
| **Other data of employees**  | * evidence of employment agenda
* assessment and evaluation of work performance
* fulfilment of rights and obligations as an employer
 | * + performance of employment contract
	+ compliance with obligations of the employer imposed by applicable law
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1. **Data retention period**
	1. Company processes personal data only for the period necessary for the fulfilment of the purpose for which they have been collected or for the period as stated in the applicable law.
	2. Some personal data are retained only for the duration of the contract with data subject and they are deleted or destroyed after the termination of the contract (e.g. photographs of collaborators and employees on the Company’s website).
	3. Other data are kept for some time after the termination of a particular contract. Company is obliged to respect retention periods as stated in the applicable law and certain documents, including personal data therein, must be retained for the specific periods (e.g. employment documents for the period from 3 to 30 years).
	4. Company retains some other documents containing personal data to the extent necessary for exercising and defending its legal claims. These data are usually retained for the duration of prescription periods as stated by respective applicable law (usually from 3 to 15 years).
	5. Data from cookies located on our website are retained for the maximum of 24 months.
	6. Once the respective retention period is over Company will anonymise or entirely erase personal data from all of its databases and IT systems and shred all paper documents and destroy all other portable media containing personal data.
2. **Sources of personal data**

Company acquires personal data from the following sources:

* + **directly from data subjects**
	+ **publicly accessible sources** (public registers, public records or lists, information publicly available on the internet which data subjects themselves publish)
	+ **former employers** (e.g. information stated in the employment certificate or in the recommendation from the former employer, etc.)
1. **Categories of recipients of personal data**
	1. The Company may transfer or disclose (only some) personal data of data subjects to the following recipients:
* **providers of services** necessary for the performance of Company's activities (e.g. accounting, tax and marketing consultants, IT service providers, lawyers, etc.). For these purposes, we select only trustworthy entities that are contractually or legally bound by the obligation of confidentiality in relation to handling of personal data, as well as other obligations to the protection of personal data in the meaning of applicable law.
* **other entities**, in case it is necessary for the protection of rights (e.g. insurance companies in case of insurance claims)
* **public authorities** (e.g. administrative authorities, courts, enforcement officers, etc.)
1. **Methods of processing personal data**
	1. Company processes personal data of data subjects in both electronic form using the IT technology as well as manually in paper form. Company has implemented adequate technical and organisational measures to ensure protection of personal data which it processes, mainly measures preventing accidental or unlawful destruction, loss, alteration, unauthorised disclosure of or access to personal data transmitted, stored or otherwise processed, or other misuse of personal data (measures include for example encryption, password security, security software, storage of data in locked cabinets or spaces, access allowed to authorised persons only who need personal data to meet the above mentioned processing purposes). All persons to whom such personal data may be made available respect the privacy rights of data subjects, they are bound by confidentiality obligations, and are required to comply with personal data protection laws. We also require that our data storage providers comply with the relevant industry security standards.
	2. Personal data processed by the Company are not subject to automated decision making or profiling.
2. **Transfer of data abroad**
	1. As we often create our works and installations abroad, some (identification and contact) personal data of our employees or collaborators may be transferred to or stored at a destination outside the European Economic Area (EEA). Regardless of location, we will impose the same data protection safeguards that we deploy inside the EEA.
	2. Certain countries outside the EEA have been approved by the European Commission as providing essentially equivalent protections to EEA data protection laws and therefore no additional safeguards are required to export personal data to these jurisdictions. In countries which have not had these approvals, (see the full list here <http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm> ) we will transfer it subject to European Commission approved contractual terms that impose equivalent data protection obligations directly on the recipient unless we are permitted under applicable data protection law to make such transfers without such formalities.
	3. Please contact us if you would like to see a copy of the specific safeguards applied to the export of personal data relating to you.
3. **Rights of data subjects in connection with processing of their personal data by the Company**
	1. Data subjects have the following rights in connection with processing of their personal data by Company**:**

**Right of access to personal data:** Data subject shall have access to all of his/her personal data processed by the Company. Upon request of the data subject, the Company will provide copies of all personal data in structured form within one month from such request, provided that provision of data will not adversely affect rights or freedoms of other persons (it is therefore not possible to provide access in all cases to all information, especially in connection with data which are subject to trade secrets, intellectual property, copyrights, know-how of the Company or third parties – e.g. software providers, even though they are related to the processing of personal data of the data subject, who has made a request to access these personal data). If request is made in electronic form, data will be provided in the standardly used electronic form, unless data subject requests different form of providing data.

**Right to rectification of inaccurate personal data and completion of incomplete personal data**: Upon request or information from the data subject the Company will rectify or update inaccurate/outdated personal data, without undue delay.

**Right to erasure** („Right to be forgotten“): Personal data of data subjects will be erased without any undue delay subject to fulfilment of one or more of the following conditions:

* personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed
* data subject withdraws consent on which the processing is based and there is no other legal ground for the processing
* data subject objects to the processing and there are no overriding legitimate grounds for the processing
* personal data have been unlawfully processed
* personal data have to be erased for compliance with a legal obligation under the EU law or Czech law
* personal data have been collected in relation to the offer of information society services (e.g. trough contact form on website)

Personal data cannot be erased if their processing is necessary for the fulfilment of legal obligations or exercising or defending legal claims.

**Right to withdraw consent:** Personal data shall not be further processed if data subject withdraws his/her consent with processing and there exist no other legal basis for their processing.

**Right to restriction of processing:** Processing of personal data of data subject shall be restricted in the following cases:

* accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data
* processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead
* Company no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims
* data subject has objected to processing, pending the verification whether the legitimate grounds of the controller override those of the data subject

Restriction of processing means that while the data are still stored, they cannot be otherwise processed until the restriction can be terminated. Therefore, if processing of personal data is limited, such personal data will be processed only with consent of the data subject or for the purpose of enforcing or defending legal claims, for the protection of the rights of another natural or legal person or for reasons of overriding public interest. The Company shall inform data subject in advance about termination of restriction on processing of their personal data.

**Right to data portability**: subject to the request of data subject and technical feasibility, the Company shall transmit personal data to another controller in structured, commonly used and machine-readable format.

**Right to object:** provided that purpose of processing is legitimate interest of the Company and data subject will raise objection against such processing, the personal data shall no longer be processed unless there exist compelling legitimate grounds for processing which override the interests, rights and freedoms of the data subject, or for the establishment, exercise or defence of legal claims.

**Filing a complaint:** data subject is entitled to file a complaint to the Office for Personal Data Protection in connection with processing of his/her personal data by the Company.

**Data subjects may exercise the above-mentioned rights against the Company. Requests may be submitted:**

* **via email to email address:** **info@kolektiv.cz**
* **via post to address:**

**Kolektiv Ateliers a.s.**

**Sklářská 705**

**473 01 Nový Bor**

**Czech Republic**

1. **Final provisions**

All corrections, erasures or restrictions of processing will be notified to respective processors of the Company except when it will prove non-feasible or will require unreasonable effort.

Upon request of the data subject the Company will disclose the individual recipients of his/her personal data, to whom the Company transfers their data.

This statement will be regularly updated in the future. The current version of the statement will always be published on the Company's website in the "Privacy" section.

Last update on 1.1. 2021

**Kolektiv Ateliers a.s.**