

INFORMATION ON THE PROCESSING OF PERSONALE DATA

ART. 13-14 OF REGULATION (EU) 2016-GDPR

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DEAR MS/MRS,

The ASL Città di Torino informs you of the purposes and methods of use of your personal data within the scope of its institutional activities. The personal data that are requested from you are indispensable for the provision and management of health services and are used by the staff of this Company in compliance with professional secrecy, official secrecy and in accordance with the principles of the regulations in force on the protection of data, in particular European Regulation 2016/679, the Privacy Code - Legislative Decree 196/2003 - as amended by Legislative Decree 101/2018, the provisions of the Guarantor for the Protection of Personal Data.

The Data Controller is ASL Città di Torino - registered office Via San secondo, 29, Torino, in the person of its Legal Representative.

The Data Protection Officer or Data Protection Officer (RPD or DPO) is the firm Compliance Officer and Data Protection di Polito Dott.ssa Filomena, based in Cascina (PI), Via Modda 79.

Data Processors (DPOs) are all the Directors of the health facilities of this ASL delegated by the Data Controller.

Authorized to process data are all the operators formally appointed to do so by the Data Controller or its delegates.

NATURE/TYPE OF DATA PROCESSED

Personal data is any information relating to an identified or identifiable natural person ("data subject"); an identifiable person is one who can be identified, directly or indirectly, with particular reference to an identifier such as a name, an identification number, location data, an online identifier, or one or more characteristic elements of his/her physical identity, physiological, genetic, mental, economic, cultural or social.

The data subject to processing **may be** as follows:

- ✓ **Common data** (e.g., first name, last name, date and place of birth, address, telephone number, social security number).
- ✓ **Data belonging to special categories** (e.g., data relating to your health, ongoing treatment, family history-data revealing your ethnic origin, sexual life and orientation, religious/philosophical beliefs, genetic data, and biometric data).

Special data related to health or genetic data are also a part of a person's body or organic substance, biological samples (in test tubes or in vitro) to carry out examinations or diagnostic tests.

- ✓ **Judicial data** (relating to criminal convictions or crimes or related security measures)

Processing means any operation or set of operations, carried out with or without the aid of automated processes and applied to personal data or sets of personal data, such as collecting,

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recording, organizing, structuring, storing, adapting or modifying, extracting, consultation, use, communication by transmission, dissemination or any other form of making available disposal, comparison or interconnection, restriction, deletion or destruction.

LEGAL BASIS AND PURPOSE OF PROCESSING

Your data are processed in order to provide you with the social and health services you need, in inpatient hospital, in outpatient, with home care, residential or semi-residential as well as in intramural freelance practice.

The processing of your personal data by the ASL Città di Torino takes place insofar as it is provided for and permitted by a rule of law, for “purposes of care” and/or for purposes of relevant public interest; **therefore, as a rule, it is not necessary for you to give your consent for processing.** Specifically, the purposes of this Company for which your consent is implied are as follows:

- protection of health and physical safety (i.e., activities of prevention, diagnosis, care, treatment health or social care and rehabilitation), including as part of integrated care pathways involving other subjects or other health facilities, public or private;
- protection of the health and physical safety of third parties and the community;
- social-welfare protection and health-relevant interventions in favor of individuals in need, non-self-sufficient or incapacitated;
- administrative, managerial and accounting fulfillments, related to the aforementioned activities and other tasks institutional tasks of health care companies and/or related to legal obligations (e.g., acceptance, booking of visits and examinations, registration of exemptions, compilation of “medical records,” reporting);
- activities related to the provision of goods or services to the user to safeguard health (e.g. provision of aids and prostheses);
- medico-legal certification activities;
- epidemiological and statistical activities in fulfillment of legal obligations;
- health care planning, management, monitoring and evaluation activities in fulfillment of legal obligations;
- management of complaints/lawsuits/litigation;
- legal protection of the ASL;
- other possible fulfillments required by law or regulation.
- **PROCESSING THAT REQUIRES EXPLICIT CONSENT**

Other processing of “personal data” particularly related to health is carried out by this ASL only if the person concerned gives his or her consent, after receiving adequate information about the methods of processing.

They are by way of example, the treatments:

- through Health Records;

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- via Electronic Health Record (consent is required for consultation);
- for purposes of training, study and/or scientific research including in the context of clinical trials;
- for predictive medicine activities;
- of genetic data (to conduct genetic testing for the purpose of prevention, diagnosis and treatment of diseases of a genetic nature);
- of biometric data (e.g., facial image or dactyloscopic data when the same are processed through a specific technical device that enables the unique identification or authentication of a person);
- by use of images, filming and video for purposes of diagnosis, treatment, teaching and research;
- of data in the context of telehealth/telemedicine for the purpose of enabling the remote transmission of tracings and images, including through a two-way link with other facilities;
- for the purpose of implementing health surveillance systems/pathology records unless such processing are not ordered by rule of law;
- through the use of IT applications made available by the ASL to serve the user (app medical, online referral delivery, online doctor's choice and revocation)

Specific written or documented consent is required for the aforementioned processing, as indicated above through a computer system, which you can later also revoke.

PROVISION OF DATA

With the exception of any legal obligations, the provision of personal data requested by the ASL Città di Torino is optional, but is necessary for the full achievement of the purposes set out above. With the exception of urgent and/or legally mandated services, the refusal to communicate all or part of your personal data or the subsequent request to delete them could prevent, or otherwise result in serious difficulties in providing you with adequate health care, as incomplete or missing data entail high possibility of error and the inability by the staff in charge of managing the activity to which it is assigned.

DATA PROCESSING METHODS AND RETENTION TIMES

The processing of data within this ASL is done through the use of appropriate tools and procedures to ensure the security and confidentiality of its data and can be carried out either through paper media, or through the use of electronic computer or technical-scientific means. Appropriate organizational, physical and logistical measures are put in place to ensure security and to prevent any data breach (loss, destruction or unauthorized access) - so-called data breach.

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The ASL processes your data in compliance with the principle of “minimization” and therefore the same are processed only if pertinent and indispensable to the specific institutional purposes for which they are collected and for which you have been informed.

Your data are processed by personnel authorized to do so by the Data Controller or his delegate. They may be employees of the ASL or other individuals who collaborate with the Company (e.g. physicians in specialist training, trainees, consultants, operators of firms/associations with whom there is a regular contractual relationship, etc.). However, all operators are bound by professional secrecy/office secrecy and compliance with legal regulations regarding the confidentiality of processed data.

Your data are retained for the time necessary to pursue the purposes for which they are collected, without prejudice to the longer time necessary to fulfill legal obligations, due to the nature of the data or document or for reasons of public interest or the exercise of public powers, taking into account the provisions of the Company's Records Retention Plan (so-called Rejection Ceiling). The Rejection Ceiling of this ASL, referred to here in full, is available in the section of the corporate website www.aslcittaditorino.it “Transparent Administration/General Administrative Acts.”

COMMUNICATION AND DISSEMINATION OF DATA

Personal data in the health sector may be subject to communication for institutional purposes and within the limits permitted by law. The data provided may be communicated in the essential parts only, in order to comply with administrative, inspection, investigation, and/or legal obligations and purposes of the bodies in charge, to public and private entities, bodies and institutions for the achievement of their respective purposes.

The following are some of the subjects to whom ASL may or must communicate its data:

- Public subjects (Health Company of residence if different from the one of access, other health companies, health agencies);
- Private subjects (private health facilities, private accredited SSR, elderly health residences) involved in the diagnostic - therapeutic pathway;
- Piedmont Region or other Region of residence (if different) for administrative purposes of regional competence;
- Municipality of residence;
- Social Services of municipalities for activities related to the assistance of weak individuals;
- Law Enforcement and Judicial Authority;
- Persons qualified to intervene in disputes to which the Company is a party (insurance companies, lawyers and consultants, etc.);
- General Practitioners/Pediatricians of Free Choice, when applicable;
- INPS/INAIL;

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- external third parties who carry out personal data processing activities on behalf of the Company, expressly appointed as “Data Processors” by appropriate contract;
- other subjects who have been formally authorized (e.g. Researchers, teachers);
- other subjects in cases provided for by law or regulation.

Outside the aforementioned categories of subjects, the communication to third parties of personal data stored at this ASL may take place, following the exercise of the right of access to administrative acts or generalized civic access, exclusively in compliance with the limits, methods and forms provided for by L. 241/90 as amended and Legislative Decree 33/2013 as amended, the application of which is configured as an activity of relevant public interest. Data related to your health status may not be disseminated.

The results of studies and research are disseminated only by ensuring the anonymity of those concerned.

TRANSFER OF PERSONAL DATA OUTSIDE THE EU

It is possible for personal data to be transferred to Third Countries, including countries outside the European Union, if this is required by law or in fulfillment of contractual obligations to a party appointed by the ASL, as the Data Controller, or as part of research and experimentation activities. Transfers to non-EU countries will be made only in full compliance with the regulations, first of all verifying whether that country offers an adequate level of protection of personal data; in the absence of such a requirement, the Data Controller or Processor will implement the safeguards to protect the data subject provided for by the regulations themselves (including, in some cases, the request for consent to the transfer).

PROFILING

The ASL Città di Torino, also considering its institutional purposes, on the basis of the data provided does not profile users for marketing or commercial promotional purposes.

Any other profiling activities are carried out only for purposes inherent to the health service, such as screening campaigns, epidemiological surveys, etc.

RIGHTS OF THE DATA SUBJECT

You may exercise over your data, subject to the limitations provided for in Article 23, and in compliance with applicable national legislation, the rights provided for in Articles 15 to 22 of GDPR 2016/679:

- right of access (art.15), subject to the limitations provided by law,
- right to rectification (art.16),
- right to erasure (art.17) subject to the limitations provided by law,
- right to limitation of processing (art.18), in cases provided for by law,

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- right related to the holder's obligation to notify in case of rectification or erasure of personal data or limitations of processing (art.19),
- right to data portability (art. 20), in cases provided for by law,
- right to object (art. 21), subject to the limitations provided by law,
- right not to be subjected to a decision based solely on automated processing, including profiling (art.22), which produces legal effects or significantly affects your person, subject to the limitations provided by law (e.g., processing for prevention purposes, screening).

In addition, you have:

- the right to choose to whom you will communicate information about your health status and not to disclose your presence in the ward to third parties, in case of admission to the hospital facilities of the ASL Città di Torino or access to the Emergency Room;
- the right to revoke consent, limited to cases for which processing is based on your consent for one or more specific purposes, without prejudice to the lawfulness of processing carried out prior to revocation.

METHODS OF EXERCISING RIGHTS

You may contact the Data Controller and the Data Protection Officer (DPO) to assert your rights under Articles 15 to 22 of the GDPR 2016/679, as provided in Article 12 of the GDPR 2016/679, by sending a request, to one of the following mail addresses:

protocollo@pec.aslcittaditorino.it (PEC), urp@aslcittaditorino.it, dpo@aslcittaditorino.it (DPO), according to the modalities provided for the telematic transmission of requests to public administrations.

For this purpose, we advise you to use the template published in the “Privacy” section of the website www.aslcittaditorino.it.

In case of unlawful processing or failure to respond by the Data Controller or DPO, you may file a complaint with the Data Protection Authority (whose contact details can be found at www.garanteprivacy.it).

FINAL NOTES

This document is posted in the “Privacy” section of the website www.aslcittaditorino.it but is also available at each of the facilities of the ASL Città di Torino.

An excerpt of this document summarizing its contents may be given to you at the various ASL facilities and you may be asked to sign it for acknowledgement.

Should you need further clarification, please do not hesitate to ask for clarification from the ASL operators, or from the Facility Data Officer or the Data Protection Officer or the Data Controller.