

## Information on the processing of personal data

As of 25 May 2018 the Regulation 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 (General Data Protection Regulation, GDPR) is directly applicable in all Member States of the European Union.

The GDPR, inter alia, provides for extended information requirements in regard to the processing of personal data.

In fulfilment of those obligations (in particular Art 13 GDPR) we are hereby informing you about the processing of your personal data carried out by us.

### 1. What type of personal data (hereinafter "Data") will be processed?

The use of the reporting-system of the Academy of Fine Arts is voluntary. When you submit a report via the system, we collect the following personal data and information:

- your name, if you would like to give it,
- names of persons as well as other personal data of the persons you name in your report.

The communication between your computer and the reporting-system of the Academy of Fine Arts is encrypted via an SSL connection. The IP address of your computer is not stored during the use of the reporting-system of the Academy of Fine Arts. To maintain the connection between your computer and the reporting-system of the Academy of Fine Arts, a so-called zero cookie is temporarily stored on your computer, which is only valid until the end of your session and is deleted when you close the browser.

By submitting a report, a protected mailbox is set up the reporting-system of the Academy of Fine Arts via the system. This means that a password-protected link is automatically generated to access your report. In this way, you can send reports, either anonymously or by name, to Academy's staff member responsible for compliance. With this type of communication, the data is stored in the reporting-system of the Academy of Fine Arts and is therefore particularly secure. It is not an ordinary e-mail communication.

Notes on sending attachments: If you submit a report or send a supplement, you can send attachments. If you wish to submit a report anonymously, please note that files may contain hidden personal data that may jeopardise your anonymity. Remove this data before sending.

The staff of the unit responsible for compliance will check the facts of the case and carry out further case-related clarification if this is necessary. When checking the reported facts, it may be necessary to pass on data from your report to other Academy employees. This may be the case, for example, if reports refer to processes in scientific organisational units or service facilities of the Academy. In doing so, we make sure that the legal requirements for data transfer are met. Persons who have access to the data are obliged to maintain confidentiality.

### 2. What is the purpose of the data processing?

The reporting-system of the Academy of Fine Arts serves to receive, process and manage reports on serious misconduct and misuse as well as illegal actions in a secure and confidential way.

The reporting-system of the Academy of Fine can be used to provide reports

- in the sense of the Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law („EU-Whistleblower-directive“) as well as
- in accordance with – and by implementing the EU-Whistleblower-Directive – the „Bundesgesetz über das Verfahren und den Schutz bei Hinweisen auf Rechtsverletzungen in bestimmten

Rechtsbereichen (HinweisgeberInnenschutzgesetz - HSchG) BGBl. I Nr. 6/2023" which entered into force in Austria on 25 February 2023.

3. What is the legal basis for the data processing?

☐ Art. 6 (1) (a) GDPR – Consent

We would like to point out that the consent can be revoked at any time with effect for the future. This entails

☐ no adverse consequences for you.

☐ the following adverse consequences for you: Please describe under this item any adverse consequences of a revocation.

Upon revocation of consent we will in any case no longer process your Data for the above mentioned purpose from this time and, in particular, erase any Data (still) stored, unless the Data is processed on the basis of one of the following legal bases.

☐ Art. 6 (1) (b) GDPR – required for the fulfilment of a contract concluded with the data subject

☒ Art. 6 (1) (c) GDPR – required for the fulfilment of a legal obligation of the Academy of Fine Arts, Vienna

☐ Art. 6 (1) (d) GDPR – required to protect vital interests of the data subject or another natural person

☐ Art. 6 (1) (e) GDPR – the processing is in the public interest or is carried out in the exercise of official authority

☒ Art. 6 (1) (f) GDPR – required to safeguard the following legitimate interests of Academy of Fine Arts, Vienna or a third party (the interests or fundamental rights or freedoms of the data subject do not prevail):

The processing of personal data within the framework of Academy's reporting-system is based on the legitimate interest of Academy in the detection and prevention of wrongdoing, misconduct and prohibited acts and thus in the prevention of damage to Academy.

4. Is there an obligation for you as a data subject to provide your Data to the Academy of Fine Arts Vienna?

☒ No

5. Is automated decision-making (including profiling) part of the processing?

☒ No

6. Will the Data be transferred to other persons or entities in whole or in part?

☐ No

☒ Yes, in the course of processing your Data will be transferred to the following recipients for the above-mentioned purpose:

Law firms: These will be involved if required within the framework of the investigation procedure to clarify the report (in particular in the case of criminal offences) and are subject to the lawyer's duty of confidentiality.

Accused persons: In principle, we are legally obliged to inform accused persons of the fact that we have received a report about them. The information is provided as soon as this no longer jeopardises the follow-up of the report. Your identity as a reporting person, if you have disclosed it, will not be disclosed in this process - as far as legally permissible.

7. Are the recipients mentioned under Item 6 located outside the EU/outside the EEA and/or are they an international organisation?

☒ No

8. How long will the Data be stored and/or what are the criteria for determining the storage period?

Personal data will be kept as long as it is necessary for the clarification and final assessment of the report or if there is a justified interest of the Academy of Fine Arts Vienna or if this is required by law. After completion of the report processing, this data is deleted in accordance with the legal requirements.

**9. What are your rights as a data subject?**

Generally, you have a right to request from the Academy of Fine Arts Vienna access to and rectification or erasure of your Data or restriction of processing concerning you or to object to processing as well as the right to data portability.

To exercise these rights please contact our data protection officer (for contact details see Item 10). In addition, you have the right to lodge any appeals you may have with the data protection authority.

**10. Contact Details**

- Controller  
Akademie der bildenden Künste Wien  
Schillerplatz 3  
1010 Wien
- Data protection officer  
Schillerplatz 3  
1010 Wien  
[datenschutz@akbild.ac.at](mailto:datenschutz@akbild.ac.at)

General and more detailed information on the topic of data protection at the Academy of Fine Arts can be found at [https://www.akbild.ac.at/en/privacy\\_en?set\\_language=en](https://www.akbild.ac.at/en/privacy_en?set_language=en).