

## Data Protection Declaration

### 1. Controller and scope of application

The controller in terms of the GDPR and other national data protection laws is:

Verein Vindobini  
Gemeinnütziger Kinderbetreuungsverein  
Hamerlingplatz 10 A-1080 Vienna  
Phone: +43 660 568 42 01  
E-Mail: [office@vindobini.at](mailto:office@vindobini.at)  
ZVR-number: 9332580074

Verein Privatkinderergarten Schmetterling  
Rathstraße 6-8, 1190 Vienna  
Phone: +43 440 53 35  
E-Mail: [office@schmetterling.at](mailto:office@schmetterling.at)  
ZVR-number: 420585170

### 2. Principles of data processing

Personal data means any information relating to an identified or identifiable natural person. This includes information such as your name, age, address, telephone number, date of birth and e-mail address. Information with which we cannot (or only with a disproportionate effort) establish a reference to your person, e.g. by anonymizing the information, is not personal data. The processing of personal data (e.g. the collection, retrieval, use, storage or transmission) always requires a legal basis or your consent. Processed personal data will be deleted as soon as the purpose of the processing has been achieved and no mandatory retention obligations are to be observed.

### 3. Purposes of data processing

#### 3.1 Type and scope of data processing

We process your personal data for the following purposes:

- a) *Evidence of children and guardians;*
- b) *Evidence of contribution and subsidy allocation and administration;*
- c) *Internal and external communication*
- d) *Organisational purposes for kindergarten & day care (e.g. registration procedures for kindergarten/nursery or courses, attendance lists, class lists, participation lists, pick-up lists, allergy lists, registration lists for excursions, project and sports weeks);*
- e) *Development documentation of the children, speech level survey, vision & hearing test, dental prophylaxis;*
- f) *Accident reports;*
- g) *Electronic access systems with logging information.*

#### 3.2. Legal basis

According to Art. 6 par. 1 lit. b GDPR, the processing of the personal data described above is necessary for the preparation and during the contractual relationship between you and Verein Vindobini and Verein Schmetterling. If we are legally obliged to process the mentioned personal data, Art 6 para 1 lit c GDPR also serves as a legal basis for such processing. Also, in certain cases, a legitimate interest within the meaning of Art 6 par 1 lit f GDPR of Verein Vindobini and Verein Schmetterling can be used as the legal basis for data processing.

#### Storage time

All processed data that is no longer required for the execution of the contractual relationship between you and Verein Vindobini and Verein Schmetterling will be deleted. We note that even after the contractual relationship has ended, it may be necessary to store your personal data in

order to comply with contractual or legal obligations. Also, ongoing storage of data may occur if such storage is required by law.

All personal data that we collect, store and process in the course of preparing an accident report will be stored for a maximum period of 30 years to assert or defend against any claims for damages.

#### **4. Transfer of personal data**

We will only transfer your personal data to third parties in the following cases:

- You have given your express consent in accordance with Art. 6 para. 1 lit. a GDPR;
- The transfer is permitted by law and is necessary for the fulfilment of a contractual relationship with you pursuant to Art. 6 para. 1 lit. b GDPR;
- There is legal obligation to transfer the data according to Art. 6 para. 1 lit. c GDPR;
- The transfer of the data is necessary pursuant to Art. 6 (1) (f) GDPR to safeguard legitimate company interests and to assert, exercise or defend legal claims and there is no reason to assume that you have an overriding interest worthy of protection in not disclosing your data.

For the above-mentioned purposes, we may transfer the personal data to the following recipients: Magistratsabteilungen,

- Magistrate's departments (Magistratsabteilungen),
- Community offices,
- Police,
- Funding bodies,
- District court in case of non-performance of the obligatory kindergarten year,
- Third-party providers for courses/project- & sports weeks,
- IT service provider,
- Competent courts in the event of custody disputes,
- Youth Welfare Office in case of danger to the welfare of the child,
- Banks for the purpose of collecting contribution payments,
- Credit protection association in the case of overdue contribution payments,
- Collection agency in the event of overdue contribution payments,
- Lawyer in cases of legal disputes,
- General Accident Insurance Institution (AUVA),
- Statistics Austria,
- Schools,
- Child accident insurance.

#### **5. Your rights under the GDPR as data subjects**

Under the GDPR you have the following rights in relation to the relevant personal data:

- According to Art. 15 GDPR, you can request information about your personal data processed by us. In particular, you may request information on the purposes of processing, the categories of personal data, the categories of recipients of the data, the planned storage period, the existence of a right to rectification, deletion, restriction of processing or opposition, the existence of a right of appeal, the origin of your data, if not collected by us, about a transfer to third countries or international organisations and the existence of automated decision-making including profiling and, if applicable, meaningful information on their details.

- According to Art. 16 GDPR you can immediately demand the correction of incorrect data or the completion of your personal data stored by us.
- “Right to be forgotten”: According to Art. 17 GDPR, you may request the deletion of your personal data stored by us, unless the processing is required to exercise the right to freedom of expression and information, to fulfil a legal obligation, for reasons of public interest or to assert, exercise or defend legal claims.
- According to Art. 18 GDPR, you can demand the restriction of the processing of your personal data if you contest the accuracy of the data, the processing is unlawful, we no longer need the data and if you refuse their deletion because you need them to assert, exercise or defend legal claims. You are also entitled to obtain restriction of processing if you have filed an objection to the processing pursuant to Art. 21 GDPR.
- According to Art. 20 GDPR, you can request to receive the personal data you have provided us with be received in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller.
- According to Art. 7 para. 3 GDPR you can revoke your consent to us at any time. As a consequence, this restricts us from continuing the data processing based on this consent.
- According to Art. 77 GDPR, you have the right to complain to a supervisory authority. Generally you can contact the supervisory authority of your place of residence, your workplace or our company headquarters. In Austria, the supervisory authority is the Austrian Data Protection Authority (Datenschutzbehörde), Wickenburggasse 8, 1080 Vienna, phone: +43 1 52 152-0, e-mail: [dsb@dsb.gv.at](mailto:dsb@dsb.gv.at), web: [www.dsb.gv.at](http://www.dsb.gv.at).

## 6. Right of objection

When processing your personal data on the basis of legitimate interests pursuant to Art. 6 (1) (f) GDPR, you have the right to object to the processing of your personal data pursuant to Art. 21 GDPR, provided that the reasons for objection arise from your particular situation or the objection is directed against direct advertising.

## 7. Our contact data

If you have any questions or concerns regarding the processing of your personal data, please contact us:

Verein Vindobini  
Meldemannstraße 18/1.06, 1200 Vienna  
[datenschutz@vindobini.at](mailto:datenschutz@vindobini.at)

Verein Privatkindergarten Schmetterling  
Rathstraße 6—8, 1190 Vienna  
[datenschutz@schmetterling.at](mailto:datenschutz@schmetterling.at)