APEEE Services asbl

Avenue du Vert Chasseurs, 46

1180 Brussels

Tel : +32 (0) 2 375 94 84

Confidentiality commitment and data protection policy

This declaration is made on ..... (XX/XX/XXXX) by :

LAST NAME : ……..

FIRST NAME : ……

Board Member/ Management Committee (Please cross out what does not apply)

(hereinafter "the Member" or "You")

Regarding information received from or in the course of the activities of the APEEE Services ("Confidentiality Commitment").

1. Commitment to confidentiality :

As a member of the Board of the APEEE Services and/or the management committee of one of the services (Canteen, Cesame/Casiers/Garderie, Périscolaire Berkendael or Transport), you will have access to a wide range of information, some of which is confidential.

“Confidential information" includes (1) any information relating to personal data as defined in part 2 of this confidentiality commitment and (2) any information of any kind which is made available to members of the Board in writing, verbally or electronically, and which is:

(a) marked or identified as confidential, in writing or otherwise, by the issuer of that information or by the Board,

(b) is confidential under any applicable regulations; or

(c) which may reasonably be regarded as confidential information, for example because it relates to projects, assessments or documents that are not ready for public release or because it contains sensitive information, for example (but not limited to):

- Financial information about the APEEE Services or its counterparts that is normally considered confidential;

- Non-public reports from supervisory bodies and government institutions concerning the APEEE Services or the European School;

- Employment-related documents concerning the APEEE Services or the European School;

- Non-public accounting or financial documents concerning the APEEE Services or the European School;

- Documents on tenders for the activities of the APEEE Services

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- Information containing parent or pupil data used by the APEEE Services;

- Individual or personal positions, comments and ideas concerning the affairs of the APEEE Services from other members of the Board, or members of a management committee and expressed in internal discussions of a sensitive nature;

- Any information which, if disclosed, could cause harm or embarrassment to the persons or parties concerned.

Confidential information does not, however, include information that (a) is or becomes generally available to the public other than as a result of disclosure by the member, (b) was available to the member on a non-confidential basis prior to disclosure, or (c) becomes available to the member on a non-confidential basis.

You will keep confidential information strictly confidential, use it only for the purpose for which it was made available to you and not share or disclose it to anyone else in any way without the prior written consent of APEEE Services and/or the Management Committee.

This does not include sharing or discussing the confidential information with other members of the Board and/or Management Committee bound by the same confidentiality commitments contained in this confidentiality commitment, within the framework of the Board and its activities (including the General Assembly of the APEEE Services) or in order to fulfil the role of a member of the Board of the APEEE Services and/or Management Committee. However, the protection of confidential information as set out in this confidentiality undertaking must remain assured. In case of doubt, you agree to seek prior authorisation from the Board and/or the Management Committee before disclosing any information.

2. Data protection policy

The APEEE Services processes personal data of pupils, parents, members of the Board and/or Management Committee, employees or partners of the APEEE Services and the European School and/or other persons it shares with the members of the Board and/or Management Committee.

The APEEE Services undertakes to comply with 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 "GDPR"), as well as with the Belgian Law of 30 July 2018 on the protection of individuals with regard to the processing of personal data.

According to the above legislation, personal data means "*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*" (Art. 4 (1) of the GDPR).

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Processing of personal data consists of "*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*" (Art. 4 (2) of the GDPR). This is a non-exhaustive list. In case of doubt when processing information that is potentially personal data, you should consult the APEEE Services.

The APEEE Services is the controller of personal data. It meets its various obligations in relation to the processing of personal data under the GDPR and complies with its general principles.

As a member of the Board and/or Management Committee, you undertake to comply with the measures (as set out in this Confidentiality Commitment, including Part 1) put in place by the APEEE Service when processing personal data.

A personal data breach is defined as "*a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed*" (Art. 4 (12) GDPR). This could be, for example, the loss of a phone or laptop, broken or hacked passwords, etc. In such a case of personal data protection being jeopardized (or in case of doubt), we remind you that you should inform the Data Protection Officer of the APEEE Services by e-mail without delay with all the information available at privacy@uccleparents.org

Violation of the GDPR (part 2 of this confidentiality undertaking) can cost the APEEE Services up to 4% of its annual turnover (art. 83 (5) of the GDPR). You therefore undertake to make every effort to avoid such a breach.

The member declares that he/she is aware of the risks of sanctions arising from violations of the GDPR. In case of violation of this commitment, including the obligations arising from the personal data protection clause, the APEEE Services reserves the right to claim damages for any harm caused by a member resulting directly or indirectly from this violation.

Received, understood and accepted

Name (in capital letters) _____

Signature _____

Place_____ Date_____