

Part B Information for students and parents/guardians

You are participating in a measure that is funded in part by the European Social Fund (ESF). The ESF Managing Authority must report regularly to the European Commission on the use of the funds. To do this, it needs specific information from you. Your contact details are collected in the declaration of consent in Part C. Other characteristic data are collected in Part D.

The provider of this measure has been entrusted with asking you to provide the necessary information. The provider must respect and comply with data protection regulations. The providers have been specifically informed about that. If you have any questions regarding the information on data protection or regarding the declaration of consent (Part C) or the questionnaire (Part D), a member of staff from the education provider will be happy to help.

Information on data protection in connection with funding under the European Social Fund (ESF)

1. Responsibility for data collection lies with:

Bayerisches Staatsministerium für Familie, Arbeit und Soziales
Ref. I 2 (Verwaltungsbehörde ESF in Bayern)
Winzererstraße 9
80797 München
E-Mail: esf@stmas.bayern.de
Tel.: 089/1261-1063

2. Contact details of the responsible Data Protection Officer:

Datenschutzbeauftragter im Bayerischen Staatsministerium für Familie, Arbeit und Soziales
Winzererstraße 9
80797 München
E-Mail: Datenschutz@stmas.bayern.de
Tel.: 089/1261-01

3. Purpose and legal bases of processing:

Compulsory all-day provision of German classes at Bavarian primary and secondary schools is funded in part by the European Social Fund (ESF). The Bavarian bodies responsible for the use of these funds must report regularly to the European Commission. To do this, the bodies require specific information about the participants, which is collected in this questionnaire.

The name, contact details and date of birth of participating students (mandatory personal details) are required to prove that the funded projects have been implemented properly.

In addition, information is requested about the level of educational attainment, the professional situation and the social background (indicators). The indicators are saved separately from the mandatory personal details under an identifier (pseudonymised), but may, under certain conditions, be allocated back to the personal details. This only happens when the use of EU funding is audited, in the event of a subsequent survey or in the context of evaluation.

Data are processed on the basis of Article 6(1)(a) and (c) of Regulation (EU) 2016/679 (General Data Protection Regulation) in conjunction with Article 5 of Regulation No 1304/2013 in conjunction with Article 27(4) and points (b)(ii) and (iv) of Article 96(2) of Regulation (EU) No 1303/2013.

4. Recipients or categories of recipients of the personal data:

The following bodies have access to the mandatory personal details and the indicators associated with them:

- The provider of the measure, to all data collected in the context of its measure,
- The ISG Institut für Sozialforschung und Gesellschaftspolitik GmbH, solely for the purposes of evaluation/assessment. (Contact details: ISG Institut für Sozialforschung und Gesellschaftspolitik GmbH, Weinsbergstraße 190, 50825 Köln, Germany, info@isg-institut.de),
- The IT service provider commissioned to operate the database, PASS IT-Consulting (contact details: PASS IT-Consulting, Dipl.-Inf. G. Rienecker GmbH & Co. KG, Schwalbenrainweg 24, 63741 Aschaffenburg, Germany, info@pass-consulting.com),
- On request, the Bavarian High Court of Auditors, the European Court of Auditors, the competent European Commission departments and the ESF Audit Authority in Bavaria, for the purpose of performing their audit activities.

It is only permitted to combine mandatory personal details with indicators in the case of mandatory auditing, subsequent surveys for reporting requirements imposed by law, and scientific evaluations. This remains without prejudice to the verification of the eligibility of participants (e.g. eligibility criteria concerning age, gender or place of residence/work).

The following bodies have access to some of the mandatory personal details (title, first name, last name, date of entering the programme, date of leaving the programme), but only to indicators as a whole:

- The ESF granting authority at the government of Lower Bavaria (contact details: Government of Lower Bavaria, Department 13, Regierungsplatz 540, 84028 Landshut, Germany, poststelle@reg-nb.bayern.de)
- The competent body at the Bavarian State Ministry of Education and Cultural Affairs (contact details: Salvatorstr. 2, 80333 München, Germany, poststelle@stmbw.bayern.de),
- The competent body at the Bavarian State Ministry of Family, Labour and Social Affairs, i.e. the ESF Managing Authority in Bavaria, the ESF Audit Authority in Bavaria (contact details: State Ministry of Family, Labour and Social Affairs, Winzererstraße 9, 80797 München, Germany, esf@stmas.bayern.de)

All other bodies involved in the execution/implementation of the ESF funding only have access to the data in anonymous form.

5. Survey

The mandatory data (name, contact details and date of birth) are requested in the **declaration of consent**.

At the beginning of the school year, the student will be given a questionnaire in which information is requested about his or her origin, social environment and any possible disadvantages. The teaching and/or educational staff involved in the programme will provide assistance in completing the questionnaire. Immediately **after the completion** of compulsory all-day schooling in the framework of a German class, the provider of non-salary school expenses will be asked about the student's educational and professional situation. The school will help the provider to answer the questions.

In order to gain information about your professional and social situation **six months** after the programme has ended, the ISG (Institut für Sozialforschung und Gesellschaftspolitik GmbH) will contact individual students from compulsory German classes. The aim of these surveys, following the completion of all-day support in the area of German classes, is to identify and assess the success of the project.

You can view the questionnaires online at www.km.bayern.de/esf.

6. Period for which personal data will be stored

Following the survey, your data will be stored at the IT service provider commissioned to operate the database, PASS IT-Consulting, on behalf of the Bavarian State Ministry of Family, Labour and Social Affairs as long as necessary for performing the relevant task in compliance with the statutory retention periods under Article 140(1) of Regulation (EU) No 1303/2013. According to present knowledge, this is expected to be 31 December 2028.

7. Rights of the data subject

Under Regulation (EU) 2016/679 (General Data Protection Regulation), you have the following rights:

- Article 15: If your personal data are processed, then you have the right to obtain access to the personal data concerning you that has been stored.
- Article 16: If incorrect personal data are processed, you have the right to obtain the rectification of such data.
- Articles 17, 18 and 21: Where legal requirements are met, you have the right to obtain the erasure or restriction of processing, and to object to the processing.
- Article 20: If you have consented to the processing of data or if a contract exists concerning the processing of data and the data processing is carried out by automated means, you may, if applicable, have the right to data portability.

If you exercise your aforementioned rights, the public body will examine whether the legal conditions have been met. In addition, you have the right to lodge a complaint with the Bavarian State Commissioner for Data Protection.

8. Right of withdrawal of consent

If you have given your consent to the processing by the Bavarian State Ministry of Family, Labour and Social Affairs of the “particularly sensitive personal data” provided in Part D2 concerning any possible disability, migration background or any other impairments by making a relevant declaration, you may at any time withdraw your consent for the future. The lawfulness of the processing of data undertaken on the basis of the consent until the withdrawal of said consent is not affected.

9. Obligation to provide data

You are participating in a measure that is funded in part by the European Social Fund (ESF). It must be proven and demonstrated to the European Commission that the funding has been used correctly. Responsibility for this lies with the ESF Managing Authority in the Bavarian State Ministry of Family, Labour and Social Affairs. The ESF Managing Authority must report regularly to the European Commission. Reporting also includes providing data about the participants (Article 5 of Regulation (EU) No 1304/2013 in conjunction with Article 27(4) and points (b)(ii) and (iv) of Article 96(2) of Regulation (EU) No 1303/2013). If Bavaria fails to report to the European Commission or sends reports containing errors, the European Commission may prevent funds being paid out. That would also affect your programme. As a consequence, support may only be given to people whose personal details have been provided as required.

The student **may therefore only participate** in the all-day provision of German classes if

- a signed declaration of consent containing the mandatory personal details has been submitted for the student; in the case of students under the age of 18, the declaration must be signed by the student’s parents or guardians;
- the obligatory information in questionnaire D (“Questionnaire for students”) has been provided for the student. Questions concerning migration background, disability or any other disadvantages are not mandatory. The respondent may refuse to answer these questions; a box marked “not specified” is provided for in the questionnaire.