



## **PRIVACY POLICY**

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## **Introduction**

The INTERNATIONAL SOCIAL SERVICE – SWITZERLAND foundation (hereafter ISS Switzerland) communicates openly on its policy for the collection and use of personal data. Its approach to data protection, which is a major human rights concern, is based on the Swiss Federal Act on Data Protection (FADP) and the European Union General Data Protection Regulation (GDPR).

ISS Switzerland undertakes to comply with the requirements of the law and to prevent any unlawful use of beneficiary data. Accordingly, it agrees to what follows.

## **Data protection in connection with ISS Switzerland activities**

### **Definition of personal data**

Personal data are all information relating to an identified or identifiable natural person, such as an e-mail address, telephone number, name or date of birth. Whenever beneficiaries call on the services of ISS Switzerland, their data are protected. As the data holder, ISS Switzerland ensures compliance with the legal conditions for processing data, including those deemed to be sensitive, such as those pertaining to opinions, religious or political activities, health, the private sphere and legal proceedings.

### **Scope of the legal framework**

ISS Switzerland is subject to the FADP and, when it processes personal data on citizens of the European Union, to the GDPR.

ISS Switzerland respects the privacy of its beneficiaries, whether they are in Switzerland or abroad. It thus pledges to process their data responsibly and with care, in compliance with Swiss and European law, its contractual undertakings and the present Privacy Policy.

### **Sources of the personal data processed**

ISS Switzerland processes beneficiary data in order to meet its contractual and legal obligations. These data comprise, in the first place, the information voluntarily communicated by the beneficiaries when they contact ISS Switzerland by a means of communication (telephone, e-mail, website, etc.). They also comprise data communicated, with the beneficiaries' consent, by third parties such as legal or natural persons. They may also comprise data communicated to it by public entities for the purpose of their activities. Lastly, since ISS Switzerland is the Swiss member of the International Social Service, a network active in 120 countries around the world, it may receive data from its various foreign partners.

## **Purpose of the personal data processed**

ISS Switzerland works to ensure respect for the principle of data minimization, collecting and processing only those data strictly needed for the purposes for which they are processed. All personal data are processed in accordance with the principles of good faith, lawfulness and proportionality, as per the FAPD and the GDPR. ISS Switzerland undertakes to process personal data in a way that is evident to the beneficiaries, in particular by informing them how and why the data are processed.

Under the FAPD, personal data may only be collected for specific purposes that are evident for the beneficiaries. The data must subsequently be processed in a manner compatible with those purposes.

Those purposes are chiefly the following:

- To provide services in line with ISS Switzerland's statutes and the tasks conferred on ISS Switzerland by individuals or public bodies, in particular, to perform the obligations arising from a contract between ISS Switzerland and a natural or legal person, or from an agreement with a public agency;
- To provide information relating to the activities of ISS Switzerland and the projects it supports;
- To prepare and distribute ISS Switzerland's annual reports;
- To raise funds from potential donors;
- To comply with the legal and contractual obligations applicable to ISS Switzerland.

ISS Switzerland does not sell or rent the personal data it collects to anyone.

## **Accessibility of the beneficiaries' personal data**

The personal data collected by ISS Switzerland are accessible to the following persons only:

- Staff members of ISS Switzerland: ISS Switzerland staff members may access personal data insofar as they are required to do so to achieve the purpose (contractual, legal, etc.) for which the data were collected. ISS Switzerland communicates data only to its own departments and to its service providers and their staff in respect of the services entrusted to them and which they perform on behalf of ISS Switzerland. All persons having access to beneficiary data are bound by an obligation of confidentiality.

- **Third parties:** ISS Switzerland may be required to communicate personal data to outside individuals or entities providing it with services as subcontractors (such as IT hosting services) or other services in connection with its activities (such as providers of social and legal services). Such third parties are subject to an obligation of confidentiality and must use the personal data in accordance with the instructions received from ISS Switzerland alone; they are also subject to this Privacy Policy.
- **Public authorities:** If the legal framework by which ISS Switzerland is bound so requires, the personal data of beneficiaries may be communicated to the municipal, cantonal or federal administrative or judicial authorities. The conditions on which personal data may be transferred to public authorities or to foreign private entities are set out below.

### **Processing of personal data**

The processing procedure consists of any operation relating to personal data, whatever the means and processes used, in particular the collection, entry, storage, use, modification, communication, archiving, deletion or destruction of data.

Under its procedure for processing personal data, ISS Switzerland requires the prior express consent of the beneficiaries before it goes on to collect the data and subsequently to process them. ISS Switzerland stores personal data as stipulated by the law.

### **Beneficiary consent**

ISS Switzerland requires the express consent of the beneficiaries to collect and process their personal data, or to transfer them abroad, with a view to meeting its legal or contractual obligations. After having duly informed its beneficiaries about the need for such consent, ISS Switzerland ascertains that they have expressly given it. Concretely, ISS Switzerland ensures that it obtains explicit confirmation that the beneficiaries authorize it to collect and process their data, and to transfer them abroad, if necessary.

The intervention request form available on the website therefore explicitly refers to the concept of consent. Beneficiaries must decide whether or not they consent to have their personal data processed and possibly transferred abroad. ISS Switzerland also respects the beneficiaries' wishes in terms of whether or not it may transfer the data to the public authorities, in accordance with this Privacy Policy and subject to the law in force.

### **Data collection and processing**

ISS Switzerland collects the personal data of beneficiaries for the purposes mentioned from the sources indicated above. In particular, it collects them:

- When beneficiaries visit the ISS Switzerland website, through cookies;

- When beneficiaries use the intervention request form available on the website;
- When beneficiaries conclude a contract with ISS Switzerland, in which case it receives the data directly from them;
- When beneficiaries communicate personal data to ISS Switzerland using applications such as Microsoft Teams, Skype and WhatsApp (in such cases, the privacy protection rules of those applications apply to their users and ISS Switzerland is not liable);
- When a Swiss governmental authority asks ISS Switzerland to act in support of beneficiaries;
- When a member of the ISS international network forwards a request for intervention to ISS Switzerland.

ISS Switzerland strives, within the limits of the means at its disposal, to take all technical and organizational measures to prevent any unauthorized access to or processing of personal data, or their accidental loss or destruction, in accordance with its internal rules.

### **Storage of personal data**

ISS Switzerland stores personal data for as long as reasonably necessary in order to achieve the purposes mentioned above (compliance with contractual or legal obligations, etc.) or until the beneficiaries withdraw their consent thereto, unless ISS Switzerland is authorized to store them on other legal or judicial grounds. The data are archived or destroyed as soon as they are no longer needed for the purposes covered by this Privacy Policy. ISS Switzerland generally stores personal data for 10 years.

### **Communication and transmission of personal data**

Personal data are communicated whenever they are made accessible, in particular when they are transferred to another party. ISS Switzerland and its partners are bound by a duty of confidentiality with regard to their relations.

ISS Switzerland may, in certain circumstances, transfer personal data outside Switzerland. In such cases, the personal data may be transferred to States with legislation ensuring an adequate level of protection, such as those appearing on the list drawn up by the Federal Data Protection and Information Commissioner. Once a State appears on the list, which includes European Union Member States, the free flow of personal data from Switzerland to that State is guaranteed and ISS Switzerland ensures that the beneficiaries consent to the transfer. Personal data are sent to countries that do not ensure an adequate level of data protection only if the conditions set out in the FADP are met.

By virtue of its status as a non-governmental organization and a member of a global network of partners, ISS Switzerland ensures in all cases that the beneficiaries concerned have expressly consented to the transmission of their personal data abroad for the purposes of its contractual or legal obligations. It also draws the beneficiaries' attention to the risks of transferring data to a State not appearing on the list drawn up by the Federal Data Protection and Information Commissioner.

If no such consent has been given and if the contractual guarantees in terms of data protection are insufficient, ISS Switzerland will not transfer data abroad.

### **Beneficiary rights**

Anyone can ask ISS Switzerland whether it has processed personal data relating to him or her. The beneficiaries concerned receive the information they need to assert their rights as set out below, in accordance with the FAPD, and to guarantee that the processing procedure is transparent.

The beneficiaries concerned have the rights set out below.

- Right of access in the broad sense, comprising:
  - The right to know whether personal data concerning them are being processed, to receive a copy thereof, the right to know the purpose of the processing, the retention period or at least the criteria used to determine it, and the possible recipients of any personal data communicated. However, in certain cases provided for by the FAPD, ISS Switzerland may refuse, restrict or delay the communication of information; in such cases, it informs the beneficiary concerned accordingly.
- Right to information: The right to receive information on the guarantees that ISS Switzerland, through its international network of partners, may have put in place for any transfers of personal data to legal systems not providing an adequate level of protection.
- Right of data portability: The right to obtain, free of charge, the data provided in electronic format or, where possible, their transfer to another data holder.
- Right of rectification: The right to request the rectification of inaccurate or incomplete personal data.
- Right to restrict processing: The right to request limited processing of personal data.
- Right of objection and denial: The right to object to the processing of personal data and to withhold consent in specific instances of personal data processing.

- **Right to erasure:** The right to request the deletion of personal data, for example, when they are no longer needed for the purposes for which they were collected.
- **Right to withdraw consent:** The right to withdraw, at any time, their consent for the processing of their personal data, subject to the section on storage of personal data.
- **Right of denunciation:** The right to lodge a complaint with the Federal Data Protection and Transparency Commissioner.

### **Amendments to the Privacy Policy**

Should ISS Switzerland need to modify this Privacy Policy, it will publish the modifications on the ISS Switzerland website. It therefore invites its beneficiaries to consult its website regularly and to familiarize themselves with it.

All questions relating to this Privacy Policy should be addressed to ISS Switzerland.

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Geneva, 11 November 2021