

On 25 May 2018, the General Data Protection Regulation of 27 April 2016 began to apply. European Parliament and of the Council (EU) (abbreviated as RODO). In view of the above, we are providing you with EULA's Communication on the University's policy on the application of the aforementioned legislation by the University, as a controller of personal data.

Selected background information on the RODO

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 (General Data Protection Regulation) has been in force in Poland since 25 May 2018.

The RODO is a key element of European data protection reform. The main objective of the General Data Protection Regulation is to harmonise the rules governing data protection personal data in EU countries, as well as standardising the way data flows between these countries. The RODO is an act that comprehensively regulates personal data protection issues and does not require implementation into the national legal system, this means that the provisions of the RODO apply directly.

The package regulating the protection of personal data also consists of the so-called Police Directive (Directive 2016/680 of the European Parliament and of the Council (EU) of 27 April 2016) and the ePrivacy Directive, which is in the legislative phase.

In terms of national law, the legal act that develops the mechanism for consistency in the application of the GDPR provisions is the Act of 10 May 2018 on the Protection of Personal Data (Journal of Laws 2018, item 1000).

Who is the controller of your personal data at EULA?

The controller, i.e. the entity that processes your personal data, is the European School of Law and Administration with its registered office in Warsaw (03-750), 21/29 Grodzieńska Street, represented by the Rector, hereinafter referred to as EULA.

The controller shall determine the purposes and means of the processing of personal data and shall, taking into account the nature, scope, context and purposes of the processing and the risk of violation of the rights or freedoms of natural persons of varying probability and seriousness, implement appropriate technical and organisational measures to ensure that the processing of personal data is carried out in accordance with the RODO.

Personal data means information about an identified or identifiable natural person ('data subject'). An identifiable natural person is a person who can be directly or indirectly identified, in particular by an identifier such as a name, identification number (PESEL), location data, internet identifier (IP address, e-mail address) or one or more specific factors determining the physical, physiological, genetic, mental, economic, cultural or social identity of an individual.

Personal data is all data that pertains to a specific individual - from the name and surname, the PESEL number included in an identity document, to an email address to the data on a business card. Personal data can also be a fingerprint, IP address, web portal login or telephone number.

There is also a specific category of sensitive (sensitive) data that reveals:

- a) racial or ethnic origin,
- b) political opinions,
- c) religious or philosophical beliefs,
- d) religious, party or trade union membership,
- e) as well as data concerning health, genetic code, addictions or sex life and
- f) data relating to convictions, judgments and fines, as well as other decisions rendered in judicial or administrative proceedings, and are subject to specific processing and protection rules.

However, the processing of sensitive data is permitted if:

1. the data subject gives his or her consent in writing
2. a specific provision of another law authorises the processing of such data without the data subject's consent and provides full guarantees for the protection of such data;
3. the processing of such data is necessary to protect the vital interests of the data subject or of another person where the data subject is physically or legally incapable of giving consent, until a legal guardian or curator is appointed;
4. the processing relates to data which are necessary for asserting rights before a court of law;
5. the processing is necessary for the performance of the controller's tasks relating to the employment of employees and other persons, and the scope of the processing is defined in the Act;
6. processing concerns data which have been made public by the data subject;
7. it is necessary for the conduct of scientific research, including the preparation of a thesis required for the award of a university degree or diploma; publication of the results of scientific research may not be carried out in such a way that the persons whose data have been processed can be identified;
8. the processing is carried out by a party for the purpose of exercising the rights and obligations arising from a decision rendered in judicial or administrative proceedings.

What does processing of personal data consist of?

The processing of personal data is an operation or set of operations performed on personal data or sets of personal data in an automated or non-automated manner, such as collection, recording, organisation, organising, storing, adapting or modifying, downloading, viewing, using, disclosing by transmission, dissemination or otherwise making available, matching or combining, limiting, deleting or destroying.

The catalogue of activities that may comprise the processing of personal data is illustrative - it should be assumed that the processing of personal data is any activity that we perform using personal data.

How can you contact the Administrator of your personal data at EULA?

For enquiries relating to your data, please send an email to: dane.osobowe@ewspa.edu.pl

or by post to the following address:

European University of Law and Administration in Warsaw

03-750 Warsaw, ul. Grodzieńska 21/29

For which processes do we process personal data at EULA?

EULA processes personal data in areas related to, among others:

- Statutory teaching activities - already at the stage of recruitment of candidates and in the process of education at all levels of study, as well as in all forms of continuing education (trainings, courses, postgraduate studies, Post-Secondary Study, High School for Adults),
- human resources management (recruitment to work, employment, personnel services, health and safety at work),
- scientific and research activities (research, scientific cooperation),
- activities for students (material aid and student insurance, study grants),
- financial and accounting services (accounting, settlements with employees, contractors),
- other areas of activity (the library, marketing, advertising and promotional activities, the university's online shop, incoming and outgoing correspondence).

1. What extent of your personal data is processed at EULA?

The University processes data in the following areas, among others:

- first and last names;
 - dates of birth;
 - PESEL number;
 - index number;
 - series and number of the identity document
 - e-mail address
 - telephone number;
 - image;
 - nationalities.
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- cheap health, degree of disability;

The RODO introduces the so-called principle of personal data minimisation. According to this principle, only personal data which are necessary to achieve the purpose of the processing may be processed. According to the data minimisation principle, the collection of data should be limited only to those without which the purpose of the processing cannot be achieved.

Whose personal data do we process at EULA?

- university employees,
- students, students of postgraduate studies, students of the 'European' Private Postgraduate School 'European' Private Zaoczne Liceum Ogólnokształcące dla dorosłych w Szczecinie, participants of courses and trainings;
- candidates for studies, applicants for admission to the European Private Postgraduate School, applicants for postgraduate studies, applicants for courses and training, applicants for admission to the 'European' General Secondary School for Adults in Szczecin;
- foreigners undertaking and receiving studies or other forms of training at EWSPA, as well as participating in research or development work;
- participants in scientific research;
- participants in conferences, projects, seminars;
- graduates.

What is the purpose of EULA's processing of personal data?

At EULA, personal data is processed for:

1. the implementation of recruitment processes
2. conclusion and execution of a learning contract, including the handling of educational processes at all levels,
3. execution of research projects,
4. library reader services,
5. awarding scholarships,
6. management of the offer: educational, scientific, service,
7. handling and implementation of competitions/conferences
8. fulfilling the university's obligation to archive student and alumni records
9. contractual debt recovery
promotional and marketing
10. activities - legal basis statement by the data subject.
11. contractual debt collection

• On what legal grounds does EULA process personal data?

The grounds for lawful processing of personal data are set out in Article 6 of the GDOR. From the point of view of the provision, processing is permitted when:

1. the data subject has given his/her consent to the processing of his/her personal data;
2. the processing is necessary for the performance of a contract to which the data subject is party or to take steps at the request of the data subject prior to entering into a contract;
3. processing is necessary for compliance with a legal obligation incumbent on the controller; processing is necessary in order to protect the vital interests of the data subject or of another

natural person;

4. processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

5. processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the 6. data subject which require protection of personal data, in particular where the data subject is a child.

In the case of EWSPA, the basis for the processing of personal data is, among others:

1. Act - Law on Higher Education,

2. Regulation of the Minister of Science and Higher Education of 16 September 2016 on the documentation of the course of studies and implementing regulations to the Act - Higher Education Law

3. Education System Act of 7 September 1991 as amended -(High School and College), together with the implementing regulations to the aforementioned Act, Consent of the data subject

4. data subject's rights

5, The Labour Code Act,

6. The Law on Libraries,

7. the Act on the National Archival Record and Archives

1. Who can process personal data at EULA?

Only persons who are authorised to process personal data at EULA, may be allowed to process personal data.

External entities that provide services to EUIA, e.g. in the field of marketing and recruitment activities, otherwise known as Processors, may be allowed to process personal data only by virtue of a personal data processing entrustment agreement.

Can EULA share personal data?

Sharing personal data is one of the forms of operations performed on personal data as part of the processing of such data. EULA, while administering the data, may make it available to persons or entities entitled to receive it on the basis of legal regulations (state administration bodies, judiciary) or to other entities in case these entities have legal grounds for legal data processing.

Is personal data at EULA processed by automated means and subject to profiling?

Personal data at EWSPA is not subject to profiling and is not processed by automated means.

What rights do individuals whose personal data is processed at EULA have?

All persons whose data is processed at EULA have:

1. The right of access to the data,
2. The right to request rectification, erasure and restriction of processing.

To the extent that the processing of personal data is based on the premise of a legitimate interest of the controller, the person whose personal data is being processed has the right to object to the processing and to lodge a complaint with a data protection supervisory authority.

When should EULA obtain consent to process personal data?

Consent to the processing of personal data is one of the prerequisites for the lawfulness of the processing of personal data, understood as a demonstration of will by the data subject in the form of a statement or a clear affirmative action, consenting to the processing of personal data concerning him/her. Consent to the processing of personal data must be: voluntary, specific, informed and unambiguous.

Consent to the processing of personal data may take the form of a declaration of intent, expressed in writing or electronically, e.g. a consent clause attached to a paper-based personal questionnaire or the inclusion of a consent clause in an electronic form using a checkbox.

Consent to the processing of personal data must be for a clearly defined purpose, e.g. consent to the processing of personal data for recruitment, for work, or participation in a conference, etc.

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At EULA, data of the following categories of persons are processed on the basis of consent, among others:

job applicants;
graduates (career monitoring);
conference/training/seminar participants;
authors of texts.

Where personal data is processed on the basis of consent, the data subject has the right to withdraw consent at any time. The withdrawal of consent is intended to be as simple to implement as giving consent.

How long does EULA keep personal data?

If the basis for the processing of personal data is the consent of the data subject, then the personal data may be processed until the consent is revoked. Once consent has been revoked, the data may be processed for a period corresponding to the limitation period, if any, that the controller may incur. If the data are processed on the basis of a contract, then they may be processed for as long as necessary for the performance of the contract and thereafter for a period corresponding to the period of limitation of claims.

In addition, the duration of data processing depends on specific regulations, and so, for example:

The university keeps copies of the documents of candidates not admitted to the first year of study for a period of 6 months, together with a copy of the letter on the basis of which the submitted original documents were returned to the candidate (§ 19(2) of the Regulation of the Minister of Science and Higher Education of 16 September 2016 on the documentation of the course of studies). The personal file folder of the student/graduate shall be kept in the archives of the university for a period of 50 years (§ 4(2) of the Regulation of the Minister of Science and Higher Education of 16 September 2016 on the documentation of the course of studies).

What technical and organisational safeguards for personal data are in place by EULA as data controller?

Organisational safeguards:

- appointment of a Data Protection Officer;
- development and implementation of personal data protection documentation;
- authorised persons are allowed to process personal data;
- keeping records of authorised persons;
- training and familiarisation of staff with personal data protection regulations;
- procedure for issuing keys to premises to authorised persons;
- supervision of the areas by the security service;
- lodges monitoring persons entering and leaving buildings;
- third parties in the area of personal data processing are in the presence of authorised persons;
- authorised persons are obliged to keep personal data and security measures in

Physical security measures:

- lockable doors;
- doors with increased resistance to burglary;
- alarm systems;
- non-metallic/metal locked cabinets;
- safes, armoured cash registers;
- document shredders.

Security measures within software tools:

- recording changes to systems;
- definition of access rights to data;
- user identifiers and passwords;
- token.