

# **Principles of personal data protection at the Czech National Agency for International Education**

The Czech National Agency for International Education (hereinafter the DZS) is a semi-budgetary organisation of the Ministry of Education, Youth and Sports whose aim is to administer international activities in the area of education. In implementing its agenda the DZS seeks to comply with the laws and regulations in place concerning personal data protection. This document presents information about the principles governing the DZS's processing of personal data of applicants, participants, trainers, suppliers, clients, business partners, employers and other persons (hereinafter the data subjects), and about the DZS's approach to personal data processing and protection.

## **1. Introduction**

- 1.1. The DZS as the data controller processes personal data of data subjects as part of carrying out the tasks related to administration and implementation of programmes, activities and agendas set out in the DZS's Charter of Foundation, and as part of its internal management involving, most importantly, processing of personal data of employees and individuals performing contracts concluded with the DZS.
- 1.2. From 25 May 2018 the DZS processes the personal data of data subjects in line with the Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (hereinafter the GDPR).
- 1.3. The subject of personal data provides the DZS his/her personal data in a lawful manner depending on the purpose of the data processing:
  - a. for the purpose of fulfilling legal obligations of the DZS,
  - b. for the purpose of carrying out the tasks of the DZS that are in public interest,
  - c. for the purpose of legitimate interests of the DZS,
  - d. for the purpose of performing a contract between the data subject and the DZS,
  - e. for other purposes provided that the data subject gives consent to the processing of his/her personal data.
- 1.4. Consent to the processing of personal data is given by the data subject if no other legal basis may be used for the purpose of data processing. The DZS accepts the data subject's consent as a free, specific, informed and clear manifestation of his/her will whereby he/she declares or confirms in an unambiguous manner that he/she agrees with the processing of his/her personal data. The data subject has the right to withdraw his/her consent at any time. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal. Before giving consent the data subject is informed in line with the GDPR. Withdrawing consent is as easy as giving consent.

## **2. Purpose of processing personal data of data subjects**

- 2.1. The personal data of the subjects of personal data may only be collected for specific, explicitly stated and legitimate purposes and must not be further processed in a manner that is incompatible with such purposes. The processing of personal data takes place, most importantly, for the purpose of carrying out the tasks defined by the founding body in the DZS Charter of Foundation.

2.2. The DZS further processes the personal data of data subjects in order to provide for its contractual relationships, to keep accounting records and to implement the human resources and wages agenda.

### **3. Categories of processed personal data**

3.1. The DZS collects, processes and stores the following categories of personal data of data subjects:

- 3.1.1. address and personal identification data - particularly the first name, surname, date of birth, birth registration number, place of residence, telephone number, e-mail, postal address, bank details;
- 3.1.2. descriptive personal data - particularly the subject's data relating to the relevant agenda, contractual relationship;
- 3.1.3. special categories of personal data, particularly sensitive data concerning the subject's health condition, social situation, and further data concerning judgments in criminal matters and offenses - always in cases where the relevant legislation commands the DZS to collect such data;
- 3.1.4. other data - e.g. photographs, video recordings.

### **4. Ways of processing and keeping personal data and the length of their storage at the DZS**

4.1. The DZS processes the personal data of the subject manually or through automated systems and keeps them safely either in paper or in an electronic form for the period set out in the records management and disposal regulations. Depending on the purpose of data processing some personal data of the data subject are kept in the DZS's information systems (e.g. records service, application information system).

### **5. Passing personal data**

- 5.1. The DZS may only pass the personal (including sensitive) data of a data subject to a third party on a lawful basis, particularly for the purpose of implementing tasks required by a legal regulation. The data subject is informed about the specific cases of passing the data as part of a notification of processing personal data for a given purpose.
- 5.2. The personal data of a data subject may be passed to other entities with his/her consent or provided that he/she does not make a reasoned objection upon receiving the notification.

### **6. The rights of data subjects**

- 6.1. Upon request the data subject receives from the DZS all information about the processing of his/her data. The information is provided in a succinct, intelligible and easily accessible form, using clear and simple language.
- 6.2. Is the personal data concerning the data subject are obtained directly from the subject, the DZS provides the subject with the following information upon obtaining the personal data:
  - the identity and contact data of the data controller;
  - the purposes for which the personal data are to be processed and the lawful basis for their processing;
  - the legitimate interests of the data controller if the processing is justified on this lawful basis;

- possible recipients or categories of recipients of personal data, including the data processor if applicable;
- the possible intention of the data controller to pass the personal data to a third country or an international organisation, including a reference to appropriate safeguards;
- information about whether the provision of personal data is based on a legal or contractual requirement, or a requirement that must be included in a future contract, and whether the data subject is obliged to provide the personal data, including any possible consequences of failing to provide such data;
- information about whether an automated decision-making, including profiling, will be involved and, at least in these cases, meaningful information concerning the procedure applied as well as the importance and anticipated consequences of such processing for the data subject;
- the period for which the personal data will be stored at the DZS or, if the length of the period cannot be defined, the criteria used for defining this period;
- information about the right to request from the DZS access to personal data concerning the data subject, and the right to ask for their rectification or erasure, or their restricted processing; the right to object to processing, as well as the right to data portability;
- if the data processing is based on the data subject's consent, information about the right to withdraw the consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal;
- information about the possibility to lodge a complaint with the Office for Personal Data Protection.

6.3. If the DZS intends to further process personal data for a purpose other than for which they have been collected, it will provide the data subject information about this other purpose before this further processing takes place.

6.4. The DZS is not obliged to provide the subject of personal data with information about data processing if and in the extent to which the data subject already has such information.

6.5. If the DZS processes data necessary for fulfilling its legal obligations or tasks carried out in public interest or within its remit it may also provide information to the data subject by means of publishing the information in a manner that allows for remote access.

6.6. If the personal data has not been obtained from the data subject, the DZS provides the data subject with the same information and, in addition to this, the following information:

- the category of the relevant personal data;
- the original source of the personal data and, possibly, information about whether the sources of the data are publicly available.

6.7. In the event of the DZS obtaining data from a source other than the data subject the DZS will not be obliged to provide information, if obtaining such data or making them public is explicitly set out in a legal regulation that applies to the DZS.

6.8. The subject of personal data who discovers or assumes that the DZS as a data controller, or any party that processes personal data for the DZS, processes his/her personal data in conflict with the GDPR may ask for explanation or request that the DZS or the data processor remedy the situation. If the DZS or the relevant entity dealing with the request fails to grant it, the data subject may turn to the Office for Personal Data Protection. This is without prejudice to the right of the data subject to contact directly the Office for Personal Data Protection.

6.9. Apart from the above, the data subject has the following rights:

- 6.9.1. to obtain from the DZS, if the relevant grounds are applied, information about processing of his/her personal data (information about the identity and contact details of the controller, the purposes of the processing for which the personal data are intended as well as the legal basis for the processing, possible recipients of personal data and other information necessary to ensure transparent and correct processing of the personal data);
- 6.9.2. to obtain from the DZS access to his/her personal data, i.e. to obtain from the DZS confirmation as to whether or not personal data concerning him/her are being processed, and where that is the case, access to the personal data and further information as prescribed by the law;
- 6.9.3. to obtain from the controller the rectification of inaccurate personal data and to have incomplete personal data completed;
- 6.9.4. to obtain from the controller the erasure of personal data, if the relevant legal grounds apply - e.g. if the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed, or if the data subject withdraws his/her consent on the basis of which the personal data were processed;
- 6.9.5. to obtain from the DZS restriction of processing if the relevant legal grounds apply;
- 6.9.6. to data portability, i.e. to receive the personal data concerning him/her which he/she has provided to the DZS, in a structured, commonly used and machine-readable format;
- 6.9.7. to object, on the grounds relating to his/her particular situation, at any time to processing of personal data concerning him/her;
- 6.9.8. not to be subject to automated individual decision-making, including profiling, if the data subject does not give consent to this, with the exception of cases where automated processing is required by the law;
- 6.9.9. to lodge a complaint with the Office for Personal Data Protection.

6.10. The DZS is authorised to require personal identification from the data subject when a request to exercise any of the rights stated above is made.

6.11. The DZS is authorised, where the relevant legal grounds apply, to charge a reasonable fee for providing information about processed personal data of the data subject. The fee shall not exceed the necessary costs of providing such information.

## **7. Final provisions**

7.1. The subject of personal data may obtain all information concerning processing of his/her personal data in person, or in such a way as to allow for sufficient identification of the data subject. Should you have any questions concerning processing of personal data, please contact us at [gdp@dzs.cz](mailto:gdp@dzs.cz), or through the tj8vfp3 data box.