

PRIVACY NOTICE on data processing in the Strategic Database (SDB)

in accordance with Article 12(1) of the General Data Protection Regulation (hereinafter GDPR) of the European Parliament

I. In what cases are you affected by processing of personal data?

1. Members of the teaching and/or research staff of ELTE employed as public servants, for whom it is mandatory to fill in the Strategic Database, and;
2. Those who are entitled to fill in the Strategic Database on a voluntary basis and have a different legal relationship with ELTE or hold other positions at ELTE (e.g. professor emeritus/emerita, teachers employed as public servants, anyone having a contractual relationship with the university, doctoral students), and;
3. ELTE employees with administrative access to data (with reading or editing rights) are affected by processing of personal data.

II. What are your data used for?

Data in the Strategic Database can be used as follows:

1. for purposes specified in Act CCIV of 2011 on National Higher Education, in particular, to establish an up-to-date database for updating of the Institution Development Plan;
2. to offer the necessary data for measuring and evaluating the scholarly potential of ELTE, and thus to organise teaching and research activities;
3. to provide data upon request of the maintainer;
4. to survey the operating conditions of the institution; as well as
5. to perform organizational and administrative tasks related to teaching and scientific performance, and
6. for purposes determined by the data subject,¹ and
7. for the exercise of rights and fulfilment of obligations by lecturers, professors, research fellows, and other employees.

III. Which of your data shall be processed?

In the ELTE Strategic Database, certain data gained from other databases (SAP - HR data, Neptun - educational data, EPER - data of major grants, MTMT - publication database of the Hungarian Academy of Sciences), and data given by the data subject and required for their identification, as well as data relating to the educational, research, and public activities of the university shall be processed.

IV. On what legal basis do we process your personal data?

- a) Because you have given consent to the processing – GDPR Article 6(1)(a)
- b) Because processing is necessary for the performance of a task carried out in the public interest - GDPR Article 6(1)(e)

a. The legal basis of consent: in the case of data marked in the Strategic Database as given voluntarily, the data processing shall be based on the consent of the data subject, which may be withdrawn at any time.

In this case, it unequivocally reflects your consent to the processing of data if you provide the data above. The data subject has the right to withdraw his or her consent at any time. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal. In this case, consent shall be considered to be withdrawn if the data subject deletes his or her data given voluntarily.

¹ Cf. ELTE's Privacy Policy

b. the legal basis of processing data that does not fall under point (a) is the public interest, based on the provisions set out in Act CCIV of 2011 on National Higher Education:

“Article 2(1) Higher education institutions are organisations established as set out in this Act, for the performance of educational, academic research and artistic creative activities, which shall constitute their core activities.

Article 18(1) Higher education institutions shall record personal and sensitive data that are absolutely necessary for

- a) the sound operation of the higher education institution,
- b) the exercise of rights and fulfilment of obligations by applicants and students,
- c) the organisation of education and research activities,
- d) the exercise of the employer’s rights, the exercise of rights and fulfilment of obligations by lecturers, professors, research fellows, and other workers,
- e) the maintenance of the records specified by law,
- f) the determination, assessment and certification of eligibility for the benefits granted pursuant to law and the higher education institution’s rules for organisation and operation,
- g) * the operation of a graduate tracking system in relation to the programmes referred to Articles 15 and 16. *

(2) * The scope of the data recorded pursuant to paragraph (1), the purpose and duration of data processing, and the conditions for transferring the recorded data are laid down in Annexes 3 and 6.

The recorded data may be used for statistical purposes and may be transferred to the official statistical service for the purpose of statistical use.”

You, as a data subject shall have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on public interest (point (e) of GDPR Article 6(1)), including profiling² based on those provisions. The controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override your interests, rights, and freedoms or for the establishment, exercise, or defence of legal claims.

Concerning the processing of your personal data, Annex 3 “I/A. Employee Data” to Act CCIV of 2011 on National Higher Education is mainly applicable. The tasks assigned to the University Strategy Office include the operation and development of the university Strategic Database, with respect to the fact that other databases (e.g. Neptun, MTMT, EPER) do not represent alternative solutions in terms of the institution development plan, as well as strategic planning for the operation and development of university research and administration.

V. Who shall be entitled to process your personal data?

Data Controller with full authority:

ELTE Rector’s Cabinet
University Strategy Office

² In accordance with Article 4 of GDPR, ‘**profiling**’ means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person’s performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movement; Please note! Evaluation systems based on the SDB do not qualify as profiling because this type of evaluation is not exclusively the result of an automated process.

1053 Budapest, Szerb u. 21-23.
Email: stratadatbazis@elte.hu

Further Data Controllers:

- the Rector and the Vice-Rectors, as well as the administrators appointed in respect of the whole University,
- the Dean in respect of those employed at the faculty,

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- at the faculties – in respect of data related to each faculty – the administrators appointed by the Dean for this task,
 - the head of the organisational unit in respect of those employed at the organisational unit led by them.

Data processor: no data processor shall be involved.

VI. How long do we process your personal data?

For five years from the last day of employment.

In the case of ELTE employees with administrative access (reading or editing rights) only, until the right of access terminates.

VII. Where does your data come from?

From data subjects and the data of explanatory notes in the SDB may also be given by SDB administrators. Further sources of data: SAP, NEPTUN, MTMT, ELTE EPER.

VIII. Data transfer: certain personal data included in the SDB that belong to data subjects listed in points I. 1 and I. 2 must be accessible on public interest grounds (GDPR Article 6 (1) (e)). Therefore, they are made public on the forms of teachers accessible on the faculty websites and on the ELTE Digital Institutional Knowledge Base (“Tudástérkép”) website.

The data subjects are employed by the University as a Data Controller, so their personal data relevant to performing public duties shall qualify as data accessible on public interest grounds. (See, Section 26(2) of Act CXII of 2011 on the right to informational self-determination and on the freedom of information.)

When the data processing is in the public interest, you as a data subject shall have the right to object, on grounds relating to your particular situation, at any time to the processing of personal data concerning you, including profiling³ based on the provisions above. In the event of your objection, the controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override your interests, rights, and freedoms or for the establishment, exercise, or defence of legal claims.

Your rights:

1. **Transparent information, communication and modalities for the exercise of the rights of the data subject** – In this privacy notice the controller provides information about the circumstances of data

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processing, e.g. data controller, purposes, legal basis and duration of data processing, enforceable data subject rights, complaint procedures and available legal remedies for data subjects;

2. **Right of access by the data subject** – You have the right to obtain from the controller confirmation as to whether or not personal data concerning you are being processed, the controller shall provide complete information and a copy of the personal data undergoing processing;
3. **Right to rectification** – You have the right to obtain from the controller the rectification of inaccurate personal data concerning you and you also have the right to have incomplete personal data completed;
4. **Right to erasure ('right to be forgotten')** – You can ask for the controller the erasure of your personal data;
5. **Right to restriction of processing** – If you ask, your personal data can't be processed with the exception of storage;

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6. **Notification obligation regarding rectification or erasure of personal data or restriction of processing** – We inform you about the recipients referred to GDPR under the conditions set out in the GDPR;
 7. **Right to data portability** (if the controller processes your data on the basis of your consent/contract and the processing is carried out by automated means) – You have the right to receive your personal data, which you have provided to a controller, in a structured, commonly used and machine-readable format and you have the right to transmit those data to another controller;
 8. **Right to object** – you can object, at any time to processing of your personal data if the processing is based on a legitimate interest pursued by the controller or by a third party or the 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;
 9. **The right not to be subject to a decision based solely on automated processing, including profiling** – Tell us, if you are concerned! This right is not relevant if this privacy notice does not contain information about automated decision-making.
 10. **The right to legal remedy** – In the case of breach of your rights, you can turn to the data protection officer, to the National Authority for Data Protection and Freedom of Information or you can sue in court.

Data protection officer of the University:

Data Protection Office
1053 Budapest, Ferenciek tere 6. III. floor
Tel.: +3614116500/2855
Email: dataprotection@rk.elte.hu

National Authority for Data Protection and Freedom of Information

1363 Budapest, Pf. 9. www.naih.hu Tel.: +36-1-391-1400

The court: You can sue for a claim according to your place of residence.

APPENDIX to privacy notice

Details concerning the rights of data subjects

For the purposes of this information sheet (and of GDPR), **'data subject' shall mean** a natural person who has been identified by reference to specific personal data, or who can be identified, directly or indirectly; **'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 (Article 4 of GDPR).

Data subjects may contact the controller with regard to all issues related to the exercise of their rights under GDPR. The controller shall provide information on action taken on a request under Articles 15 to 22 to the data subject without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests. The controller shall inform the data subject of any such extension within one month of receipt of the request, together with the reasons for the delay. Where the data subject makes the request by electronic form means, the information shall be provided by electronic means where possible, unless otherwise requested by the data subject.

You can read about your rights below:

1. Transparent information, communication and modalities for the exercise of the rights of the data subject (Article 12-14 of GDPR)

With this information sheet, the controller provides the information relating to processing to the data subject referred to in GDPR.

If the data subject asks, further detailed oral information can be given, if the data subject proves his or her identity.

2. Right of access by the data subject (Article 15 of GDPR)

The data subject has the right to obtain from the controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, has the right to access the personal data – including a copy of the personal data – and the following information:

- (a) the purposes of the processing;
- (b) the categories of personal data concerned;
- (c) the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
- (d) where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- (e) the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
- (f) the right to lodge a complaint with a supervisory authority;
- (g) where the personal data are not collected from the data subject, any available information as to their source;
- (h) the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) of GDPR and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

3. Right to rectification (Article 16 of GDPR)

The data subject shall have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the

data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

4. Right to erasure ('right to be forgotten') (Article 17 of GDPR)

The data subject shall have the right to obtain from the controller the erasure of personal data concerning him or her without undue delay and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- (a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- (b) the data subject withdraws consent on which the processing is based, and where there is no other legal ground for the processing;
- (c) the data subject objects to the processing of personal data which is carried out for a) a legitimate interest pursued by the controller or by a third party or b) the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller and there are no overriding legitimate grounds for the processing;
- (d) the personal data have been unlawfully processed;
- (e) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject;
- (f) the personal data have been collected in relation to services related to information society offered directly to children.

5. Right to restriction of processing (Article 18 of GDPR)

The data subject shall have the right to obtain from the controller restriction of processing where one of the following applies:

- (a) the accuracy of the personal data is contested by the data subject;
- (b) the processing is unlawful and the data subject opposes the erasure of the personal data; (c) the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defense of legal claims;
- (d) the data subject has objected to processing of personal data which is carried out for a) a legitimate interest pursued by the controller or by a third party or b) the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

6. Notification obligation regarding rectification or erasure of personal data or restriction of processing (Article 19 of GDPR)

The controller shall communicate any rectification or erasure of personal data or restriction of processing carried out, to each recipient to whom the personal data have been disclosed, unless this proves impossible or involves disproportionate effort. The controller shall inform the data subject about those recipients if the data subject requests it.

7. Right to data portability (Article 20 of GDPR)

The data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format and has the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, where:

- (a) the processing is based on consent or on a contract; and (b) the processing is carried out by automated means.

In exercising his or her right to data portability, the data subject shall have the right to have the personal data transmitted directly from one controller to another, where technically feasible. The exercise of this right shall be without prejudice to the right to be forgotten.

8. Right to object (Article 21 of GDPR)

The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her which is carried out for a) a legitimate interest pursued by the controller or by a third party or b) the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, including profiling⁴ based on those provisions. The controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

9. Automated individual decision-making, including profiling (Article 22 of GDPR)

The data subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.

This provision shall not apply if the decision:

- (a) is necessary for entering into, or performance of, a contract between the data subject and a data controller;
- (b) is authorised by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests; or
- (c) is based on the data subject's explicit consent.

In this case, the data controller shall implement suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express his or her point of view and to contest the decision.

10. Legal remedy – alternative possibilities

10.1. Data protection officer (Article 38-39 of GDPR)

Data subjects may contact the data protection officer with regard to all issues related to processing of their personal data and to the exercise of their rights under GDPR.

If the controller does not take action on the request of the data subject, the controller shall inform the data subject without delay and at the latest within one month of receipt of the request of the reasons for not taking action and on the possibility of lodging a complaint with a supervisory authority and seeking a judicial remedy. (Article 12(4) of GDPR)

10.2. Procedures of the National Authority for Data Protection and Freedom of Information (Articles 57-58 and 77 of GDPR; Sections 51/A (1), 52-54, 55 (1)-(2), 56-58, and 60-61 of InfoAct⁵)

It is possible to initiate an investigation or a data protection authority procedure with the National Authority for Data Protection and Freedom of Information pursuant to the InfoAct.

To ensure that the right to the protection of personal data is enforced, the Authority shall commence an authority procedure for data protection at the application of the data subject in line with Sections 60-61 of InfoAct.

10.3. Right to an effective judicial remedy against a controller or processor (Section 23. of InfoAct. Article 79 of GDPR)

Without prejudice to any available administrative or non-judicial remedy, including the right to lodge a complaint with a supervisory authority, each data subject has the right to an effective judicial remedy where

⁴ Article 4 of GDPR: 'profiling' means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements;

⁵ Act CXII of 2011 on the Right of Informational Self-Determination and on Freedom of Information

he or she considers that his or her rights under GDPR have been infringed as a result of the processing of his or her personal data in non-compliance with GDPR.

Proceedings against a controller or a processor shall be brought before the courts of the Member State where the controller or processor has an establishment. Alternatively, such proceedings may be brought before the courts of the Member State where the data subject has his or her habitual residence, unless the controller or processor is a public authority of a Member State acting in the exercise of its public powers.