

# Privacy Policy

on data processing related to student disciplinary procedures

## 1. Data Controller

Full name:	Hungarian University of Agriculture and Life Sciences
Representative:	Prof. Dr. Csaba Gyuricza
Position:	rector
E-mail address:	<a href="mailto:adatvedelem@uni-mate.hu">adatvedelem@uni-mate.hu</a>
Telephone number:	06-28-522-000
Website:	<a href="http://www.uni-mate.hu">www.uni-mate.hu</a>
Head office:	2100 Gödöllő, Páter Károly u. 1.
Postal address:	2103 Gödöllő, Pf. 303.
Tax number:	19294784-2-44
Name of Data Protection Officer:	Bence Györe
E-mail address:	<a href="mailto:dpo@uni-mate.hu">dpo@uni-mate.hu</a>

## 2. Legal background

The Hungarian University of Agriculture and Life Sciences (*hereinafter referred to as the University*) processes personal data related to student disciplinary procedures in accordance with the following legislation:

- [THE 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 their personal data and on the free movement of such data, and repealing Regulation \(EC\) No 95/46/EC \(hereinafter referred to as "GDPR"\)](#),
- Act CCIV of 2011 on National Higher Education (*hereinafter referred to as: Nftv.*)
- Act XX of 1996 on Identification Methods Replacing the Personal Identification Number and the Use of Identification Codes (*hereinafter referred to as: Szaz. tv.*)
- Act LXVI of 1995 on public records, public archives and the protection of private archival material (*hereinafter: Ltv.*),
- Act V of 2013 on the Civil Code (*hereinafter referred to as: Ptk.*)
- Act C of 2012 on the Criminal Code (*hereinafter referred to as: Btk.*)
- Act XC of 2017 on Criminal Proceedings (*hereinafter referred to as: Be.*)
- Act II of 2012 on Petty Offences, the Petty Offence Procedure, and the Petty Offence Records System (*hereinafter referred to as: Szabs. tv.*)

### 3. The scope of the processed personal data, the purpose and the legal basis of data processing

During disciplinary procedures, the University processes the personal data of individuals involved in the procedure (including the complainant, the student subject to the procedure, legal representative, witness, expert, persons with the right to participate in discussions, and committee members) in accordance with the provisions set out in the University's Organizational and Operational Regulations – Student Requirements System – Student Disciplinary and Compensation Regulations (*hereinafter: Regulations*). The processing of personal data is strictly limited to what is necessary for the identification of the parties involved, communication with them, and the conduct and documentation of the disciplinary procedure.

The legal basis for data processing is the performance of a task carried out in the public interest based on Section 55 (5) of Nftv. [GDPR Article 6(1)(e)]; the processing of special categories of personal data may be carried out for reasons of substantial public interest [GDPR Article 9(2)(g)].

### 4. Length of data processing

Pursuant to Annex 3, Part I, Section I/B, points 1 bg) and 3 of the Nftv., personal data shall be retained for a period of 80 years from the date of notification concerning the termination of the student status. In the case of documents generated during disciplinary procedures, retention is carried out in accordance with the University's current Records Management Policy and Filing Plan.

For audio recordings made during the disciplinary procedure based on the consent of the student subject to the procedure, the retention period lasts until the disciplinary decision becomes final.

### 5. Data security measures

#### 5.1. Data storage

The University stores personal data handled in electronic form on its own server located at its headquarters, and personal data handled in paper form in the closed cabinet of the Student Disciplinary Committee (*hereinafter referred to as: HFEB*).

In light of the current state of technological development, the University ensures the protection of data processing security through technical, organizational, and administrative measures that provide a level of protection appropriate to the risks associated with data processing. Its IT system and network are both protected against computer-assisted fraud, espionage, sabotage, vandalism, fire

and flood, as well as against computer viruses, hacking, and other attacks. Security is ensured through both server-level and application-level protection procedures. Furthermore, the University takes appropriate measures to protect personal data against, among other things, unauthorized access, unauthorized alteration, transmission, disclosure, deletion, destruction, accidental loss, damage, and inaccessibility resulting from technological changes.

## 5.2. Access to data

The Chair and members of the HFEB, witnesses, experts, and individuals invited with the right to participate in discussions pursuant to Section 14/A (8) of the University's Organizational and Operational Regulations (hereinafter: SZMR) may access your personal data to the extent necessary and for the specific purpose of conducting the procedure.

Additionally, personnel involved in the hearing (e.g., technical or IT staff, secretary, interpreter) may also access your personal data to the extent necessary for the performance of their duties, and only for that specific purpose.

If you request, under the provisions of the Regulations, that an audience be allowed instead of a closed hearing, and the HFEB approves this request, then the audience may also have access to the personal data disclosed orally during the session.

In the course of processing personal data, the University uses the following data processors:

- For communication with the data subjects: electronic mail system (Outlook), Microsoft Hungary Ltd. (registered office: 1031 Budapest, Graphisoft Park 3., tax number: 10836653-2-44, company registration number: 01-09-262313)
- For the registration of documents generated during the procedure: electronic document management system (Poszeidon), SDA Informatika Zrt. (registered office: 1111 Budapest, Budafoki út 59., tax number: 11684057-2-43, company registration number: 01-10-140314)
- For record-keeping in the academic system: academic system (NEPTUN TR), SDA Informatika Zrt. (registered office: 1111 Budapest, Budafoki út 59., tax number: 11684057-2-43, company registration number: 01-10-140314)

## 5.3. Data transfer

If an official or judicial procedure is initiated in a matter, the University is obliged to provide the requested documents to the authority or court upon their request. No data will be transferred in other cases.

In the event of suspected criminal proceedings, the HFEB may, in accordance with Sections 110 (1) and (2) of the Be., contact the police, the prosecution service, or the court to request information

appropriate to the presumed stage of the proceedings, and may disclose the personal data necessary for identification for this purpose.

## 6. Data subject rights related to data processing

You may exercise your data subject rights related to data processing using the contact details provided in point 1. You may also address your requests or questions directly to the Chair of the HFEB.

### 6.1. Right to information and access

You have the right to request information about whether your personal data is being processed, and if so, which personal data is being processed, on what legal basis, for what purpose, from what source, and for how long. You may also request access to the processed personal data, for example, in the form of a copy. We will fulfil your request within one month [Article 15 of the GDPR].

- If you are the student subject to the proceedings, we will provide you with access to the personal data processed about you during the disciplinary procedure without the need for a request, in the interest of transparency and fair process.
- The right of access may be restricted, as defined by the Regulations, in proportion to the purpose sought, if it is strictly necessary to protect a legitimate interest [Recital 73 of the GDPR].

### 6.2. Right to rectification

You shall have the right to request the rectification, modification, correction and the completion of your personal data. We will make every effort to comply with the request without delay, provided that its authenticity can be established beyond any doubt. [GDPR Art. 16].

### 6.3. Right to erasure and right ‘to be forgotten’

You may request the deletion of your personal data. In such cases, we will assess whether the grounds for deletion are met or whether the data processing is still necessary pursuant to Article 17 of the GDPR, due to:

- compliance with a legal obligation under Union or Member State law,
- reasons of public interest, or
- the establishment, exercise, or defence of legal claims.

### 6.4. Right to restriction of processing

You shall have the right to request the restriction of data processing [GDPR Art. 18]

- if you believe the data are inaccurate or not up-to-date. In such cases, we will suspend data processing until the accuracy of the data is verified.
- if data processing is unlawful and you oppose the erasure of the personal data. In such cases, we will block your data.
- if we no longer need the data, but you require them for the establishment, exercise or defence of legal claims.
- if you object to data processing. In such cases, the restriction will apply until it is determined whether the University's legitimate grounds override your legitimate rights.

### 6.5. Right to object

You shall have the right to object to processing of personal data on grounds relating to your particular situation or when the data processing is against your will and you contest its legitimate grounds. In such cases, we will examine within one month whether the grounds of your objection override the University's legitimate grounds. [GDPR Art. 21].

## 7. Remedies relating to data processing

The University's Data Protection Officer is entitled to take action in the event of problems or comments relating to data processing. Please report the problem to the Data Protection Officer in the first instance, using the contact details provided in section 1. We will investigate the problem as quickly as possible and try to find a solution to it, and we will try to ensure that it does not happen again in the future.

If the problem cannot be resolved or you are dissatisfied with the solutions we propose and if you consider that the processing of personal data relating to you infringes the regulation, you may choose to take the matter to the court in your residence or to the Hungarian National Authority for Data Protection and Freedom of Information (*hereinafter: The Authority.*)

#### **Contact details of the Authority:**

Email: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu)

Phone: +36-1-391-1400

Fax: +36-1-391-1410

Website: [www.naih.hu](http://www.naih.hu)

Seat: 9-11. Falk Miksa u. 1055 Budapest

Postal Address: PO Box: 9. 1363 Budapest