

Privacy Policy

on personal data processed during the process prior to and in connection with entering into a contract regarding the ERASMUS+ programmes

The purpose of this Privacy Policy is to inform you about the data management operations of the Budapest Metropolitan University (Seat: 1148 Budapest, Nagy Lajos király útja 1-9., Institutional identification: FI33842) (hereinafter: Data Controller), in connection with the personal data processed during the **process prior to and in connection with entering into a contract** regarding the ERASMUS+ programmes.

METU acts in accordance with the provisions of 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 personal data and on the free movement of such data, and repealing Directive 95/46/EC (hereinafter: GDPR) and the National Higher Education Act when processing students' personal data

Due to the fact that it is necessary to identify the students study related personal data for the participation in an ERASMUS+ programme in the framework of a Grant Agreement or Learning Agreement for students and employees.

	Data Controller
Name:	Budapest Metropolitan University
Seat:	1148 Budapest, Nagy Lajos király útja 1-9.
E-mail:	adatvedelmitisztviselo@metropolitan.hu

1. The purpose of data management

The purpose of data management is to facilitate a contract, namely a Grant Agreement or a Learning Agreement between students or employees and the higher education institution.

2. Legal basis of data controlling

The legal basis for data handling is the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract according to Article 6 (1) b) of the GDPR.

3. The range of data managed

The Data Controller typically the following data and information in connection with the student or employee application:

- Name
- Neptun code
- Up to 3 preferred higher education institution as destination of the mobility
- Motivation letter
- Certificate of language level
- In case of art students a student portfolio (optional)
- In case of teaching/administrative staff: teaching/training plan, approval of direct supervisor
- Any additional documentation supporting the application (optional)

The Data Controller typically handles the following data and information in connection with the student nomination by the partner universities:

- Name of responsible person for outgoing students
- Email address of the responsible person for outgoing students
- Name of the responsible person for incoming students
- Email address of responsible person for incoming students
- Personal data of nominated student: name, gender, date and place of birth, mother's maiden name, citizenship
- Data related to studies of nominated student: name and level of study program at sending institution; selected semester and study module at METU; level of English

4. Sources of data

The managed data is submitted by the ERASMUS+ programme participant in case of student or employee application; or the partner university in case of the nomination of incoming students to METU.

5. Access to data, storage

Recipients of personal data and categories for recipients

- Employees of the Data Controller who due to their nature of employment, are required to access the personal data.
- The bodies defined by law that are empowered by law to inspect.
- Successful application package for the host university.
- European Commission (Rue de la Loi / Wetstraat 170 B-1049 Brussels / BrusselsBelgique / België, website in Hungarian: https://ec.europa.eu/info/index_en).

The application for the ERASMUS+ programme and the nomination procedure is facilitated through the Microsoft Forms surface operating in the framework of a licensed and secure Microsoft Office 365 software of METU.

The Data Controller shall pay particular attention to the fact that the data of the applicants and students are only accessible by its personnel for organizing, undertaking and controlling of the education, fulfilling the study and payment obligations, handling and evaluation of student matters, providing mandatory data and dealing with professional internships. In particular, to the data in connection with the studies can be accessed by the associate or tutor of the faculty concerned by the studies. Data in connection with students' administration are processed by the Student Information Centre. Data stored in Neptun and Coospace systems is accessible by the Directorate of Information Technology.

For the primary storage of personal data, the Data Controller uses the Neptun system, the uniformly used system in the higher education, which is operated by SDA Informatika Zrt. (Seat: 2030 Érd, Retyezáti utca 46.) as Data Processor. SDA Informatia Zrt.'s conduct as Data Processor is regulated by the data processing contract with the Data Controller.

Besides the previously mentioned, the Data Controller is storing data depending on the nature of the matter or the data concerned on other electronic databases. The platform for communication and data storage Coospace used in the education is operated by DEXTER Informatikai és Tanácsadó Kft. (7622 Pécs, Vargha Damján utca 4. földszint 1.) as Data Processor.

Paper-based data is stored on the location of the education in a safe environment only accessible by authorized personnel.

6. Duration of data controlling

The personal data will be stored for 3 years in order to fulfil the contract and to prove the terms of the contract later.

7. Data subjects

The data controller manages the data of the outgoing student and employee applicants for ERASMUS+ programmes, furthermore, the data of the incoming ERASMUS+ students nominated by another higher education institution.

8. Data transferring

Data may be transferred to a partner institution in a third country and the data will be uploaded to the Mobility Tool system maintained by the European Commission to monitor the implementation of institutional projects.

9. Security of data

The Data Controller shall take appropriate technical and organizational measures – taking into account the state of science and technology and the costs of implementation, the nature, scope, circumstances and objectives of data management and the risk of varying probability and severity of natural persons' rights and freedoms – to guarantee a level of security that is appropriate to the degree of risk.

The Data Controller selects and manages the IT tools used to manage personal data in the provision of the service so that

- the data processed shall be accessible to those entitled to it (availability);
- the data processed shall be authentic and its authentication shall be ensured (authenticity of data management);
- the processed data's invariance must be verifiable (data integrity);
- the data processed shall be accessible only to the entitled, protected against unauthorized access (data confidentiality).

10. The rights of the data subjects can be enforced by the data subject at the e-mail address adatvedelmitisztviselo@metropolitan.hu

Pursuant to Article 15 of the GDPR, the data subject may request access to personal data concerning him or her as follows:

The data subject shall have 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, access to 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 fact of automated decision-making, including profiling, and at least in these cases, comprehensible information on the logic used and the significance of such data management and the expected consequences for the data subject.

Pursuant to Article 16 of the 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

At the request of the data subject, METU is obliged to correct inaccurate personal data concerning them without undue delay. Taking into account the purpose of the data processing, the data subject has the right to request that the incomplete personal data be supplemented, inter alia, by means of a supplementary statement.

Pursuant to Article 17 of the GDPR, the data subject has the right to request the deletion of personal data concerning him or her from METU as follows:

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 objects to the data processing in the public interest, in the exercise of a public authority or in the legitimate interest of the controller (third party) and there is no overriding legitimate reason for the data processing, or the data subject objects to the data processing for direct business acquisition;

(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.

Where the controller has made the personal data public and is obliged pursuant to paragraph 1 to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that the data subject has requested the erasure by such controllers of any links to, or copy or replication of, those personal data.

According to the GDPR, the further retention of personal data can be considered lawful, in case the data processing is necessary:

- for exercising the right of freedom of expression and information;
- for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject
- for the performance of a task carried out in the public interest
- for the exercise of official authority vested in the controller;
- for reasons of public interest in the area of public health;
- for archiving purposes in the public interest,

- for scientific or historical research purposes or statistical purposes; or
- for the establishment, exercise or defence of legal claims,

Pursuant to Article 18 of the GDPR, the data subject has the right to request METU to restrict the processing of personal data concerning him as follows:

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, for a period enabling the controller to verify the accuracy of the personal data;

(b) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;

(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 defence of legal claims;

(d) the data subject has objected to processing pursuant to Article 21(1) pending the verification whether the legitimate grounds of the controller override those of the data subject.

Where processing has been restricted based on the above, such personal data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

Pursuant to Article 21 of the GDPR, the data subject has the right to object to the processing of personal data concerning him or her by METU as follows:

The data subject has the right to object at any time, for reasons related to their situation, to the processing of their personal data in the public interest, in the exercise of public authority or in the legitimate interest of the data controller (third party), including profiling. In this case, METU may no longer process personal data unless it demonstrates that the processing is justified by overriding legitimate reasons which take precedence over the interests, rights and freedoms of the data subject or which relate to the submission, enforcement or protection of legal claims.

Where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing, which includes profiling to the extent that it is related to such direct marketing. Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.

At the latest at the time of the first communication with the data subject, the right to object shall be explicitly brought to the attention of the data subject and shall be presented clearly and separately from any other information.

Where personal data are processed for scientific or historical research purposes or statistical purposes, the data subject, on grounds relating to his or her particular situation, shall have the right to object to processing of personal data concerning him or her, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

Under Article 20 of the GDPR, the data subject is entitled to the portability of personal data concerning him or her as follows:

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 have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, where:

- the legal basis of the data processing is the consent of the Data Subject or the performance of the contract concluded with the Data Subject;
- 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 the right to data portability shall be without prejudice to the right to erasure. That right shall not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

The right referred to data portability shall not adversely affect the rights and freedoms of others

The right of appeal in court, complaints addressed to the supervisory authority, questions

If you have any questions or requests related to data protection, please contact us at the e-mail address adatvedelmitisztviselo@metropolitan.hu!

If you request information, we will respond to your request within a maximum of 30 days, using the contact information you provided.

In case of illegal data processing experienced by the data subject, he or she may initiate a civil lawsuit against the Data Controller. The trial falls within the jurisdiction of the regional court. The lawsuit - at the option of the person concerned - can also be initiated before the court of the place of residence (you can see the list and contact details of the courts through the following link: <http://birosag.hu/torvenyszekerek>).

Without prejudice to other administrative or judicial remedies, any data subject shall have the right to file a complaint to the supervisory authority, in particular in the Member State in which he or she has his or her habitual residence, place of employment or suspected infringement, if the data subject considers that the processing of personal data regarding him or her violates the GDPR.

National Authority for Data Protection and Freedom of Information

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