**Privacy notice**

**for admitted applicants/for students**

**In accordance with Article 12 (1) of 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 (henceforth: GDPR)**

Eötvös Loránd University informs you, as data subject, on the processing of your personal data related to the student status.

**Who is the Data Controller?**

**Eötvös Loránd University**

Egyetem tér 1-3.

H-1053 Budapest

**Contact:** the competent Office of Educational Affairs (<https://www.elte.hu/en/faculty-administration-offices>)

**I. Related to you student status**

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| **Data processed by the University** | Data required by I/B of annex 3 to Act CCIV of 2011 On National Higher Education (See Appendix 2 of the present notice); data relating to the creation, termination and exercise/fulfilment of rights and obligations associated with the student status, including other data relating to academic progress (in particular: data necessary for the use of the Neptun system; data necessary for the use of certain student benefits; data related to the payment of fees, personalised instruction for exceptional cases[[1]](#footnote-1), reimbursements, payments and invoicing in case of payment obligations; data related to the procedure in student cases under the Academic Regulations for Students, as well as to disciplinary and compensation procedures). |
| **Purpose of the processing** | In accordance with Section 18 (1) (a)-(f) of the Act on National Higher Education:  the sound operation of the higher education institution; the exercise of rights and fulfilment of obligations by applicants and students; the organisation of education and research activities; the maintenance of the records specified by law; 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. |
| **Legal basis for the processing** | GDPR Article 6(1)(e) - processing is necessary for the performance of a task carried out in the public interest (the performance of educational core activities).  The University also processes the health data of the student and, where applicable, of the person living in the same household as the student, i.e. special categories of data, on the basis of Article 6(1)(e) GDPR and of the addition under Article 9(2)(f) GDPR[[2]](#footnote-2), and, in the case of aptitude tests, on the basis of the addition under Article 9(2)(h) GDPR[[3]](#footnote-3).  In particular, such data are processed for the purposes of verifying the reason for absence, in the course of student proceedings, for the authorisation of exceptional study arrangements, for the suspension of membership of a college, for applications for the reduction of fees/expenses, for examinations or course enrolments in certain faculties, or for the assessment of other fairness requests.  *You, as data subject, have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you. 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.* |
| **Duration of the processing** | Eighty years from the notification of the termination of student status (I/B of annex 3 to Act CCIV of 2011 On National Higher Education). See Section 59 of the Act on National Higher Education. |
| **Data Processor** | Electronic Registration System’s (NEPTUN) and the EVOP portal’s[[4]](#footnote-4) operator (Campus Codeworks Zrt.).  E-learning systems’ (such as Moodle, Canvas, CooSpace) operator/software developer,  Hosting service provider. |
| **Data transfer** | On the basis ofI/B of annex 3 to Act CCIV of 2011 On National Higher Education:  to the maintainer for the purpose of the performance of tasks related to maintainer control; to the court, the police, the public prosecutor’s office, the bailiff, the public administration body the data required for taking a decision on a specific matter; to the national security services the data necessary for the performance of tasks defined in the Act on National Security; to the body responsible for operating the higher education information system; data on the programme and on student status may be transferred to the body responsible for keeping records on the fulfilment of conditions for Hungarian state scholarships. |
| **Source of data** | Data provided by the admitted applicant. |

**II. Distance education, distance examination**

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| **Data processed by the University** | 1. image  2. voice  3. username, password, email address of Teams/Zoom  4. other personal data that can be detected through online contact  5. picture of the document used for identification (for presentation only)  6. your surroundings during the seminar, unless you are using the masking function to hide the background. During an examination, the student's surroundings (in which case the masking function cannot be used).  7. for some faculties only: in the case of examinations, the path of the alternative platform (e.g. Skype, Viber, Messenger) used by the student to transmit voice and video simultaneously (if requested by the examining faculty)  8. in the case of a registered student with special needs, the personal data of the facilitator (image, voice, other personal data that can be perceived through online contact). |
| **Purpose of the processing** | Distance education, distance examination.  (Holding a seminar. In the case of an exam: Verifying a student’s identity, guaranteeing the integrity of the exam, In the event of technical issues arising during an exam, continuing the examination via a different provider.) |
| **Legal basis for the processing** | Processing is necessary for the performance of a task carried out in the public interest (Article 6(1)(e) GDPR, Higher Education Act).  *You, as data subject, have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you including profiling 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.* |
| **Duration of the processing** | Until the end of the exam or seminar. Recording of video or audio during on oral exam is prohibited.  For access to an alternative platform (e.g. Skype, Viber, Messenger) used by the student for simultaneous voice and video transmission: until the end of the exam period or of the final exam period. |
| **Data processor** | Microsoft and similar distance connection providers. |

**III. Exemptions and support available to students with children**

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| **Purpose of the processing** | Supporting married students with children in accordance with the provisions in Act CCIV of 2011 On National Higher Education. |
| **Data processed by the University** | NEPTUN code, name, details provided on the application form and the submitted verification forms. |
| **Legal basis for the processing** | Article 6 (1) point e) of GDPR: processing is necessary for the performance of a task carried out in the public interest, for the implementation of legal provisions (Section 47 (6)[[5]](#footnote-5), Section 48 (5)[[6]](#footnote-6) of Act on National Higher Education).  *You, as data subject, have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you including profiling 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.* |
| **Duration of the processing** | Ten years from the notification of the termination of student status for the purpose of determining the period of state-funded studies. |
| **Data transfer** | On the basis of Act LXXXIX of 2018 on the Education Register:  to the body responsible for the operation of the Education Register via the Education Register. |
| **Data processor** | Campus Codeworks Zrt. as NEPTUN’s operator. |

**IV. After graduation to collect data for tracking graduates’ careers (DPR)**

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| **Data processed by the University** | NEPTUN code, name, email address, year of graduation, level of programme |
| **Purpose of the processing** | Graduate career tracking pursuant to Section 18 (1) (g) of Act on National Higher Education. |
| **Legal basis for the processing** | GDPR Article 6(1)(e) - the processing is necessary for the performance of a task carried out in the public interest (operation of a graduate tracking system) (Section 18 of Act on National Higher Education and Act LXXXIX of 2018 on Educational Records).  *You, as data subject, have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you including profiling 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.* |
| **Duration of the processing** | Eighty years from the notification of the termination of student status (I/B of annex 3 to Act CCIV of 2011 On National Higher Education). |
| **Data transfer** | Pursuant to Act LXXXIX of 2018 On Educational Registration, the data are transferred via the educational register to the authority responsible for the operation of educational registration. |
| **Data processor** | - Campus Codeworks Zrt. (as the operator of the Unipoll survey creation and Graduate Career Tracking [DPR] system);  - Microsoft, due to the use of the Microsoft platform. Microsoft is headquartered in the United States of America; however, it is included on the list of organizations deemed to provide adequate data protection by the European Commission. |

**IV. Personal messages sent to students in Neptun**

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| **Data processed by the University** | Neptun code, name, e-mail; depending on the content of the notification, data related to academic progress, the exercise of rights and obligations arising from the student status. |
| **Purpose of the processing** | Providing information relating to the exercise of rights and obligations arising from student status; information on events related to university life, university events, information on opportunities to participate in research. |
| **Legal basis for the processing** | GDPR Article 6(1)(e) - processing is necessary for the performance of a task carried out in the public interest (Section 18 of Act on National Higher Education - see first block).  *You, as data subject, have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you including profiling 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.* |
| **Duration of the processing** | Until the end of your student status, but no later than the award of your diploma. |
| **Data transfer** | There is no data transfer. |

**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 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;
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 have the personal data transmitted directly from one controller to another, where technically feasible;
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.

**If you have any questions or you need legal remedy, turn to:**

**Data protection officer of the University:**

Data Protection Office

1056 Budapest, Szerb u. 21-23.

Email: [dataprotection@elte.hu](mailto:dataprotection@elte.hu)

**National Authority for Data Protection and Freedom of Information**

1363 Budapest, Pf. 9.

[www.naih.hu](http://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 (See Article 12-14 of GDPR for more information)

The data controller shall provide the data subject with information on the circumstances of the processing, including, inter alia, which personal data of the data subject, for what purposes, on what basis and for how long will be processed; the data subject's rights in relation to the processing; the source of the data if personal data have not been obtained from the data subject; to whom he or she may address any questions or complaints regarding the processing, etc.

When requested by the data subject, the information may be provided orally, provided that the identity of the data subject is proven by other means.

1. Right of access by the data subject (See Article 15 of GDPR for more information)

The data subject may request from the controller full information about the processing and a copy of his or her personal data.

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 existence of automated decision-making, including profiling, referred to in Article 22 of GDPR, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

1. 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.

1. Right to erasure (‘right to be forgotten’) (See Article 17 of GDPR for more information)

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 purpose of the processing has ceased;

(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 based on a legitimate interest pursued by the controller or by a third party or 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, and there are no overriding legitimate grounds for the processing;

(d) the processing is unlawful;

(e) the personal data have to be erased in order to comply 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 information society services offered directly to children.

1. Right to restriction of processing (See Article 18 of GDPR for more information)

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

(a) the data subject contests the accuracy of the personal data;

(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 defence of legal claims;

(d) the processing is based on legitimate interest pursued by the controller or by a third party or 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, and the data subject objects to the processing.

In this case, the controller only stores the data, with the exceptions set out in the GDPR.

1. 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.

1. Right to data portability (See Article 20 of GDPR for more information)

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 the 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 erasure.

The right to data portability 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.

1. Right to object (See Article 21 of GDPR for more information)

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 based on legitimate interest pursued by the controller or by a third party or if 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, including profiling[[7]](#footnote-7) 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.

1. Automated individual decision-making, including profiling (See Article 22 of GDPR for more information)

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.

1. The right to legal remedy – alternative possibilities

10.1. Data protection officer (See Article 12 of GDPR and Article 38-39 of GDPR for more information)

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 (Article 38(4) of 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 Privacy Act[[8]](#footnote-8))

Anyone (i.e. not only the data subject) may lodge a complaint with the National Authority for Data Protection and Freedom of Information (hereinafter the Authority), in order to initiate an investigation on the grounds that a personal data breach has occurred or is imminent.

It is important that the notification is not anonymous, otherwise the Authority may reject the notification without any substantive investigation. Further grounds for refusal are set out in Section 53 of Act CXII of 2011 on the Right to Informational Self-Determination and Freedom of Information (Privacy Act).

The Authority's investigation is free of charge and the costs of the investigation are advanced and borne by the Authority. The detailed rules for the conduct of the procedure are laid down in Sections 54, 55 (1) to (2) and 56 to 58 of the Privacy Act.

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 Privacy Act.

10.3. Right to an effective judicial remedy against a controller or processor (Sections 23-24 of Privacy Act; 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 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.

In Hungary, the data subject, according to his/her choice may bring the action before the regional court having territorial jurisdiction over his domicile or place of residence.

Possibility to claim damages and compensation:

* The controller or the processor shall be liable for compensating any damage which another person may suffer as a result of processing that infringes the provisions laid down in laws or the binding legal act of the European Union on the processing of personal data.
* The controller or the processor shall be liable for paying a grievance award for the violation of personality rights that another person may suffer as a result of processing that infringes the provisions laid down in law or the binding legal act of the European Union on the processing of personal data, if the person whose personality rights had been violated has made a claim addressed to the controller or the processor for such a grievance award.

**APPENDIX No. 2 to privacy notice**

Annex 3 to Act CCIV of 2011 on National Higher Education - Student data: See here: <https://adatvedelem.elte.hu/tajekoztatok-sablonok> /[Appendix to Privacy Notice](https://www.elte.hu/dstore/document/7980/Appendix_Act%20National%20Higher%20Education_20220414.docx)

1. Including the provision laid down in Section 49 (11) of the Act on National Higher Education: “The higher education institution shall allow a student raising a child under the age of 14 to be absent from lectures and seminars for the purpose of child care in such a way that their absence does not lead to their being exempt from the essential academic requirements of the given programme (…)” [↑](#footnote-ref-1)
2. GDPR Article 9(2)(f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity. [↑](#footnote-ref-2)
3. GDPR Article 9(2)(h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3. [↑](#footnote-ref-3)
4. EVOP portal: A central application to which higher education institutions submit data in line with the provisions of the Act on National Higher Education. Its purpose is to ensure communication among higher education institutions (e.g. for the purpose of visiting student arrangements) and to make certain information available to external parties (e.g. the secondary school ranking in connection with the admission procedure) /Section 108 3.a./. [↑](#footnote-ref-4)
5. Exceptions when determining the duration of the funding period for (limited) state-funded programmes: “Section 47 (6) The following shall not be taken into account in the ­calculation of the funding period: g) semesters starting from the semester following the date of birth or adoption of a married student’s child as well as the semesters starting from the semester following the date of marriage of a student with a child and the semesters preceding the semester following the student's 30th birthday.” See also Section 47 (9): The annulment of the student’s marriage shall not affect the provision laid down in point g) of paragraph (6). [↑](#footnote-ref-5)
6. Section 48 (5) ­A married student shall be reclassificated to a state-funded programme from the semester following the birth or adoption of their child, and a student with a child shall be reallocated to a state-funded programme from the semester following the date of their marriage provided that they have not yet reached 30 years of age on the first day of the semester. [↑](#footnote-ref-6)
7. 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; [↑](#footnote-ref-7)
8. Act CXII of 2011 on the Right of Informational Self-Determination and on Freedom of Information [↑](#footnote-ref-8)