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| UNIVERSITY OF PARDUBICE    |  |
| Directive No. 6/2007       |  |
| Issue:                     | Measures to protect personal data at University of Pardubice |
| Applicable to:             | all organisational divisions of the University and its parts |
| Effective from:            | the date of issue  |
| Ref. No.:                  | RPO/0018/07  |
| Prepared and submitted by: | JUDr. Pavel Horák, lawyer                                    |
| Approved by:               | doc. Ing. Jiří Čákl, CSc., Vice-Rector for Internal Affairs  |

## Article

### 1

#### Basic provisions

(1) The rights and duties of the University of Pardubice (hereinafter referred to as the “University”) concerning collection, storage and processing of personal data are stipulated by Act No. 101/2000 Coll. (Collection of Laws), on personal data protection and on modification of some laws, as amended by later regulations (hereinafter referred to as the “Act on Personal Data Protection”) and by Act No. 133/2000 Coll., on register of population and birth registration numbers and on modification of some laws, as amended by later regulations.

(2) This directive shall stipulate the procedure and forms of the personal data processing at the University and the protection thereof from illegal or random access by unauthorised persons or any other misuse of the personal data. It shall define the rights and duties of University employees and students, and of individual workplaces engaged in activities related to personal data processing.

## Article 2

### Basic Terms

(1) **Personal data** shall mean any information concerning a determined or determinable natural person (hereinafter referred to as the “Data Subject”) if that person may be identified directly or indirectly in particular on the basis of number, code or one or more elements specific for his/her physical, economic, cultural or social identity.

(2) **Sensitive data** shall mean personal data evidencing national, racial or ethnic origin, political attitudes, membership in trade union organisations, religion and philosophical opinions, conviction for a criminal offence, state of health and sexual life of the Data Subject, and any biometric or genetic information on the Data Subject.

(3) **Personal data processing** shall mean any operation or set of operations carried out systematically over personal data, no matter whether in an automated manner or using any other methods.

(4) From the viewpoint of the Act on Personal Data Protection the University shall be the administrator determining the purpose and methods of the personal data processing, carrying out the processing and held responsible for this. In particular it shall systematically collect personal data, store the personal data on information carriers, make the personal accessible, alter or modify, retrieve, use, publish, block or liquidate personal data.

(5) Other legal entities engaged in personal data processing in an electronic form may also participate in this activity. Another processing entity different from the University may be charged to process personal data on the basis of the contract on personal data processing. In particular, the contract shall expressly specify the scope, purpose and period of time for

which it is concluded, and shall also contain guarantees of the processing entity related to the technical and organisational security of the personal data processing.

(6) The University may process personal data of employees, persons carrying out work on the basis of agreements to perform work out of an employment relationship, students, participants in lifetime education, long-term guests and persons currently engaged in University bodies only in the necessary scope specified by a special legal regulation, or in order to assert rights and duties arising from a special legal regulation, or for performance of their working and study duties and access to the services provided to them by the University for their working, educational and scientific, research, development, artistic or other creative activities.

(7) The University may process personal data of natural persons other than those specified in paragraph 6, i.e. persons not having any legal relationship to the University, only due to provision of services to such persons by specialised facilities of the University. Personal data of such persons may only be processed in the necessary scope arising from the extent and kind of the service provided and only on the basis of an express consent granted by the Data Subject in writing.

(8) The University may process sensitive personal data of employees and students only if this processing is absolutely necessary and is for the benefit of the Data Subject, and only on the basis of a prior express time-limited consent granted by the Data Subject in writing.

(9) Personal data may only be transferred to third persons out of the University in the cases stipulated by legal regulations.

(10) Managers may only become familiar with personal data of their subordinate workers in the scope ensuring the due performance of work. Academic workers and other persons participating in teaching activities may only become familiar with personal data of students in the scope of the pedagogical activities carried out by them.

### **Article 3 Personal Data Collection and Processing**

(1) The organisational departments and divisions of the University, which are authorised to collect personal data systematically in accordance with this directive, may only collect and process personal data for the defined purpose and store personal data only for a defined period of time. The organisational departments and divisions shall carry out initial personal data processing, shall be held responsible for the accuracy and up-to-datedness thereof, and shall liquidate the personal data as soon as the purpose for which the personal data has been processed ceases to exist, or upon request of the Data Subject.

(2) The primary personal data shall be obtained and collected in workplaces in a paper or electronic form. Written documents, which are usually in the form of a personal questionnaire, report of a change and certificate of relevant organisations, shall be kept in a personal file of the Data Subject and in the file rooms of those workplaces. In the electronic form, the personal data obtained shall be processed in the workplaces only within the Information System of the University of Pardubice. The personal data shall be processed for the whole period the Information System of the University of Pardubice is implemented and functioning.

(3) The operation of the Information System of the University of shall be ensured by the Information Centre, which shall be held responsible for the method of securing the personal data stored in data storage areas in the electronic form.

**Article 4**  
**Duties of Managers During Personal Data Processing**

- (1) The head of the organisational department or division processing personal data shall unambiguously define the purpose for which the personal data should be processed. He/she shall define means and methods for the personal data processing.
- (2) The head of the organisational department or division shall determine:
  - a) whether the personal data processing records are to be administered in an automated manner or only using other means,
  - b) the method and procedure aimed at obtaining personal data,
  - c) the method of storing personal data for further processing thereof,
  - d) the personal data that should be obtained,
  - e) the University employees to whom the personal data may be handed over and disclosed,
  - f) the organisations out of the University, to which the personal data may be handed over and disclosed,
  - g) the personal data which may be published.
- (3) The head of the organisational department or division shall define the employees who are authorised to obtain, collect and process personal data and to administer the records containing the personal data (hereinafter referred to as the “Authorised Employee”).
- (4) The head of the organisational department or division shall determine the manner of securing the protection of the personal data filed in writing in the workplace.
- (5) When contracts, the subject matter of which is provision of services with access to the system containing personal data, are concluded, the contract made in writing shall include the duty to keep confidentiality as well as safety measures to be taken to protect the personal data, including a prohibition to use information for any purposes other than those defined in the subject matter of the contract.

**Article 5**  
**Duties of Authorised Employees During Personal Data Processing**

- (1) The Authorised Employee shall process personal data only using the determined means and the defined processing method. He/she only process accurate personal data he/she has obtained in accordance with the specified purpose of processing and shall be held responsible for the personal data protection and storage both in paper and electronic forms. He/she shall record reported changes in or completion of personal data and shall update the personal data records as necessary.
- (2) If the Authorised Employee obtains or collects any data related to a particular person, he/she may not process such data for any purposes other than those determined, shall handle such data in accordance with the Act on Personal Data Protection and this directive. He/she shall ensure the personal data protection from illegal or random access by unauthorised persons, illegal transfers, illegal electronic processing, alteration, destruction or loss, or any other misuse.
- (3) The Authorised Employee shall keep confidential both the personal data and the security measures, disclosure of which might endanger the personal data security. The duty of confidentiality shall survive even after his/her employment is terminated.
- (4) While obtaining personal data, the Authorised Employee shall inform the Data Subject about the scope and purpose of processing his/her personal data, who may be provided with access thereto, as well as about his/her right to access his/her personal data, the right to correct, block, complete or liquidate his/her personal data if he/she finds out or is of the opinion that the University processes his/her personal data contrary to the protection of private and personal life. The Authorised Employee shall advise everybody whether the provision of his/her personal data is obligatory or voluntary, and inform him/her about the consequences if

he/she refuses to provide the personal data.

(5) The Data Subject shall be informed whether or not the personal data provision and processing is necessary so that the University may comply with its legal duties or whether the personal data is collected and processes in order to ensure services provided for due performance of working or study duties.

(6) The Authorised Employee shall ensure written consent granted by the Data Subject to the collection and processing of personal data for purposes other than the necessary compliance with legal duties by the University. The contents of the consent to process personal data to be granted by students are stipulated in annex No. 1. The contents of the consent to process personal data to be granted by employees are stipulated in annex No. 2.

## **Article 6**

### **Duties of Administrators and Network Managers during Personal Data Processing**

(1) The administrators of the Information System of the University of Pardubice (hereinafter referred to as the “Administrators”) shall ensure protection of personal data stored electronically in data storage areas from illegal or random access by unauthorised persons, illegal transfers, illegal electronic processing, alteration, destruction or loss, or any other misuse.

(2) The Administrators shall provide Authorised Employees with relevant access rights, keep their records, and ensure cancellation of the access rights.

(3) The Administrators shall set the means of the computer equipment for their access to the Information System of the University of Pardubice.

(4) The Administrators shall be held responsible for the central data storage area of the Information System of the University of Pardubice, the data back-up copies, archiving and liquidation.

(5) The safety data back-up copies containing personal data recorded on information carriers shall be stored separately from the original.

(6) The means ensuring operation of the Information system of the University of Pardubice and data carriers containing personal data shall be operated and stored in the area with a controlled access.

## **Article 7**

### **Processing Employees’ Personal Data**

(1) The University shall collect and process personal data of employees in the scope stipulated by a special legal regulation or in order to assert rights and duties arising from a special legal regulation due to compliance with the employer’s duties arising above all from Act No. 262/2006 Coll., Labour Code, and legal regulations related thereto, from Act No. 130/2002 Coll., on support of research and development from public funds and on modification of some related laws (the Act on support of research and development), as amended by later regulations, and from implementing regulations.

(2) Before the employment relationship is created, employees of the Human Resources (hereinafter referred to as the “HR”) may collect and process the personal data of the applicants for employment. If a vacancy at a faculty or a University institute is intended to be filled on the basis of a selective procedure, the dean or the director of the University institute may also charge another employee to collect and process the personal data of applicants for employment.

(3) When agreements to carry out work out of any employment relationship are concluded, the employees of the Labour and Wage Section (hereinafter referred to as the “LaWS”), or a worker charged by the faculty dean at a faculty or by the director of a University institute at a University institute may collect and process personal data.

(4) When projects solved at the University are submitted, managed and administered, the personal data of the research worker and of the other persons participating in the project or in a research task, or the personal data of the authors of the results thereof, may only be collected and processed by the proposer and employees authorised to do so due to provision of information to the research and development information system.

(5) The personal data of applicants for an employment and of employees shall be obtained in the course of a personal meeting on the basis of the submitted documents as a rule. If the personal data of employees are to be processed further in the electronic form, the personal data may only be transferred into the Information System of the University of Pardubice.

(6) If the personal data of applicants for employment is collected at a faculty or a University institute, any provided documents containing the personal data of hired employees shall be passed onto the HR. The concluded agreements to carry out work out of any employment relationship shall be passed onto the LaWS.

(7) Any written documents containing the personal data of an employee, including his/her consent granted in writing to the collection and processing of his/her personal data, shall be included in his/her personal file and stored in lockable cabinets within the areas specified for this purpose.

(8) The applicants not hired to be employed shall be returned the documents provided by them.

(9) After the employment relationship is terminated or after the agreement to carry out work out of any employment relationship expires, the personal data in the written form shall be removed from the records of employees and the personal data administered electronically shall be designated as inactive.

(10) Written documents containing personal data after the employment relationship is terminated or after an agreement to carry out work out of any employment relationship expires may continue to be kept in files for the necessary period of time only for the purposes of the state statistic service, for scientific purposes and for the purposes of archiving. The documents that may be needed in the event of a labour-law dispute (if any) shall also be left in personal files. The other documents shall be returned to the Data Subject after the labour-law relationship is terminated.

(11) Personal data administered electronically as inactive may be used for the purposes of the state statistic service, for scientific purposes and for the purposes of archiving, for the needs of the Data Subject, and for compliance by the University with duties arising from special laws and regulations.

## **Article 8**

### **Processing Students' Personal Data**

(1) The University shall collect and process the personal data of students and participants in lifetime education in the scope stipulated by a special legal regulation or in order to assert rights and duties arising from a special legal law due to compliance with duties arising from Act No. 111/1998 Coll., on universities and on modification and amendment to some other laws (the Act on Universities), as amended by later regulations, or for the purposes stipulated in the internal regulations and standards of the University.

(2) The personal data of applicants for study and students of accredited study programmes may be collected and processed by workers of the departments of studies within faculties and

University institutions in the scope of the data required in the printed form entitled “Application for study at a university in the CR”. Students may also provide their personal data electronically through the Information System of the University of Pardubice.

(3) Any written documents containing the personal data of students, including their consents granted in writing to the collection and processing of their personal data, shall be included in their personal files and stored in lockable cabinets within the areas specified for this purpose.

(4) If the personal data of students is processed further electronically, it may only be transferred into the Information System of the University of Pardubice.

(5) After the study is terminated, the personal data in a written form shall be removed from the records of students and the personal data administered electronically shall be designated as inactive.

(6) Written documents containing personal data of students may continue to be kept in files only for the purposes of the state statistic service, for scientific purposes and for the purposes of archiving. The personal data of students administered electronically as inactive may be used for the purposes of the state statistic service, for scientific purposes, for the purposes of archiving, for the needs of the Data Subject and for compliance by the University with duties arising from special laws and regulations.

## **Article 9**

### **Duty to Notify Personal Data Processing**

(1) Personal data may be collected, processed and stored systematically due to reasons other than those stipulated by a special law or reasons necessary in order to assert rights and duties arising from a special law only after the University has complied with its duty to notify the Office for Personal Data Protection.

(2) The vice-rector for internal affairs shall decide on implementation of records or a data file collecting and processing personal data due to reasons other than those stipulated by a special law or reasons necessary in order to assert rights and duties arising from a special law on the basis of a written request submitted by the head of the organisational department or division intending to collect and process personal data.

(3) In the written application for registration of personal data processing in the register administered by the Office for Personal Data Protection, the head of the organisational department or division intending to collect and process records of persons containing personal data or to alter registered processing shall specify full characteristics of the relevant personal data processing in the scope below:

- a) definition of the purpose of processing and the period of storing the personal data,
- b) specification whether this is to include employees, students or persons without any legal relationship to the University,
- c) specification of the personal data to be processed,
- d) sources of obtaining the personal data and verifying the truthfulness thereof (from the Data Subject or other sources),
- e) manner of personal data processing with a specification of the workplace or the responsible employee,
- f) entities out of the University (and the country, if necessary), to which the processed personal data will be delivered,
- g) manner of securing personal data protection in the workplace and during automatic processing,

h) manner of informing the Data Subject about the scope and manner of processing his/her personal data.

(4) The duty to notify the Office for Personal Data Protection shall be complied with on behalf of the University by the Law Office through the written notice filed in the form entitled “Notification of processing (a change in processing) personal data”.

(5) Personal data processing may only be commenced after the Notification of processing (a change in processing) personal data is entered in the register administered by the Office for Personal Data Protection.

## **Article 10 Transitional and Final Provisions**

(1) Operations and activities carried out so far, containing personal data collection and processing, used up to the date this directive becomes effective, shall be altered so that the personal data is protected in accordance with the Act on Personal Data Protection.

(2) When the Authorised Employee is appointed pursuant to art. 4(3), the head of the organisational department or division shall ensure the Authorised Employee’s written declaration concerning responsibility in the course of work with personal data. The contents of the declaration on responsibility in the course of work with personal data are stipulated in annex No. 3. He/she shall send the signed declaration to the HR so that it may be included in the personal file of the Authorised Employee.

(3) This directive shall become effective on the day it is issued.

In Pardubice on 19 March 2007

prof. Ing. Jiří Málek, DrSc.  
rector

Annex No. 1 – [Consent to personal data processing \(students\)](#)

Annex No 2 – [Consent to personal data processing \(employees\)](#)

Annex No. 3 – [Declaration on responsibility in the course of working with personal data](#)