

## PRIVACY NOTICE

In order to ensure the legality of its internal data protection processes and the rights of the data subjects, **Óbudai Egyetem** (hereinafter: University, Data controller) formulates the following privacy notice.

Name of data controller:	Óbudai Egyetem
Ministry of Education ID nr.:	FI12904
Headquarters of Data controller:	1034 Budapest, Bécsi út 96/B
Electronic address of Data controller:	jog@uni-obuda.hu
Representative of Data controller :	Ormándi Gabriella chancellor
Data protection officer:	Bovard Kft. (info@bovard.hu)

As an institution for higher education the data processor is an organisation founded with the core activities of education, scientific research, and artistic creation – as set forth in Act CCIV of 2011 on National Higher Education. During the execution of its public functions the processing of personal data necessarily arises.

The personal data of the data subjects are managed in accordance with the requirements of all effective laws, but primarily in accordance with the requirements of the following laws:

- Act CXII. of 2011 on the right of informational self-determination and the freedom of information (hereinafter Info. tv.),
- 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 (General Data Protection Regulation) (hereinafter: GDPR).

The data subject, prior to data processing - by means of this privacy notice- is fully informed with regard to the purpose, means, and all other essential characteristics of the data processing. The data subject may request information regarding the data processing from the Data controller, or directly from the DPO at any time.

### **I. DATA PROCESSING: Providing mental health consultation for students**

The Student Services Department is a supporting organizational unit operating at the University which provides services to our students. It organizes trainings, provides study supporting workshops, aids student integration and progress during higher education with its informational and advisory system, as well as helping in career planning, -orientation, -correction and providing mental health consultation.

During the mental health consultation organized by the Student Services Department the university's psychologists advise the university students. The goal of these consultations is to explore and to find a solution the problem of the students that might cause life management problems, or a feeling of being 'stuck'. Our goal is to enable our students to successfully cope with difficulties that arise from everyday life and their studies. The consultations are of a mental health, self-knowledge, and personal development nature; therefore, they cannot replace specialist (psychiatric) and/or psychotherapeutic treatments.

Our university fulfils its obligation to disclose information about data collection in connection with mental health consultation through this document.

### **Purpose of data processing**

The purpose of data processing is to provide mental health consultation by the university's psychologists to its students.

### **Personal data and the legal basis for their processing**

Personal data on the consent form processed in connection to mental health consultation:

- a) Name of subject (for identification)
- b) Neptun code of subject (to confirm student status)
- c) Subject's email address (for keeping contact)

We inform the subjects that the online mental health consultations are carried out via Microsoft Teams . In these cases, the scope of processed data also includes the subject's Microsoft Teams username.

For the University data processing is necessary for the performance of a task carried out in the public interest, in this specific case to provide support and assistance to students, therefore the legal basis is Article 6 Paragraph (1) Point e) of GDPR.

We inform the subjects that we may collect statistic data in connection with attendance on consultations. This data is gathered anonymously, therefore no personal data is processed.

### **The source of personal data**

The data subject. Because the data subject is the source of personal data, the full scope of collected data will be provided at the start of data processing.

### **Recipients of personal data provided**

Only those employees are permitted to view personal data of subjects who are tasked with carrying out mental health consultations.

Using the service online is done via Microsoft Teams which is a product of Microsoft Corporation.

### **Transfer of personal data to third country or international organization**

The University shall not transfer the personal data of the data subject to international organization.

### **Time period of processing personal data**

The University processes personal data after the end of the consultation process during the limitation period.

### **Automated decision making and profiling**

No automated decision making and profiling as defined in Article 22. of GDPR shall take place during the data processing.

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### **III. THE RIGHTS OF THE DATA SUBJECT**

#### **Right to be informed**

The data subject has the right to be informed with regard to the data processing, which right is observed by the Data controller by providing this privacy notice.

#### **Right of Access by the data subject**

The data subject shall have the right to obtain from the Data 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 (1) and (4) 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.

#### **Right to rectification**

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.

Please report any changes in your personal data to the Data controller as soon as possible, facilitating the legality of data processing and the enforcement of your rights.

#### **Right to erasure ('right to be forgotten')**

The data subject shall have the right to obtain from the Data 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 and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing of personal data for direct marketing purposes;
- 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 the offer of information society services referred to in Article 8(1).

### **Right to restriction of processing**

The data subject shall have the right to obtain from the Data 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 pending the verification whether the legitimate grounds of the controller override those of the data subject.

### **Right to object**

If the legal basis for processing personal data is the legitimate interest of the Data controller (point (f) of Article 6(1)) or the processing is necessary for the performance of a task carried out in the exercise of official authority vested in the controller (point (e) of Article 6(1)), 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. In this case, the can no longer process the personal data unless we demonstrate 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.

If the personal data of the data subject are processed for direct marketing purposes (i.e.: sending marketing e-mails), 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.

### **PROCEDURES FOR ENFORCING THE RIGHTS OF DATA SUBJECTS**

The above rights can be exercised by data subject by sending an electronic mail to this e-mail address: jog@uni-obuda.hu, or regular mail to the seat of the Data controller or in person at the seat of the Company. The data subject shall be informed about the measure taken in response to

the request within 30 days. If we are unable to fulfil the request, we inform the data subject about the reasons of the rejection and the administrative and judicial redress rights of the data subject.

The rights of the deceased may be enforced within five (5) years by an authorised person who possesses administrative provisions, or a statement towards the data processor included in a public document or full probative private document. If multiple such statements exist at the same data processor, then the statement made the latest will prevail. If the subject has made no such legal statement, then a close relative is still able to enforce certain rights of the deceased within five (5) years of death. These rights are defined in Article 16 (right to rectification) and Article 21 (right to object), as well as - if the data processing was unlawful during the life of the subject, or the purpose of data processing has ceased with the death of the subject – Articles 17 (right to erasure) and 18 (right to restriction of processing) of the GDPR. The close relative who exercises their right first will be entitled to enforce rights of the subject as set forth in this Paragraph.

#### **IV. THE RIGHT TO LODGE A COMPLAINT AND TO AN EFFECTIVE JUDICIAL REMEDY**

To ensure your right to an effective legal remedy you may seek the Court's decision if in your judgement our Company or one of our data processors, or data controllers working according to our provisions has handled your personal data by breaching the relevant legal provisions or regulations set forth in the compulsory legal acts of the European Union. The court will handle the case out of turn. Resolving the case is the authority of the Court. The claim may be filed – according to the subject's decision – at the court of the subject's residence, or at the court of our Company's seat (Fővárosi Törvényszék).

If in your judgement your personal data was handled in breach of the law or there is a direct threat of it happening, or if the Company hinders you in exercising your right regarding data processing, or if the Company denies your request to exercise such rights, you may lodge a formal complaint at the Hungarian National Authority for Data Protection and Freedom of Information (NAIH).

The claim can be filed at one of the below addresses:

National Authority for Data Protection and Freedom of Information (NAIH)

Mailing address: Po.box.: 603, Budapest, H-1374

Address: 9-11 Falk Miksa utca Budapest, H-1055

Telephone: +36 (1) 391-1400

Fax: +36 (1) 391-1410

E-mail: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu)

URL: <http://naih.hu>

Budapest, 1<sup>st</sup> November 2020.