

## **PRIVACY STATEMENT, HAN UNIVERSITY OF APPLIED SCIENCES**

This privacy statement applies to the processing of personal data by Stichting Hogeschool van Arnhem en Nijmegen (KvK 09091785), hereinafter referred to as HAN.

### **Processing of personal data by HAN**

HAN aims to handle personal data in an ethically responsible manner. HAN respects your privacy and ensures that your personal data are handled with care and in accordance with applicable privacy legislation. In this privacy statement, we inform you about the purposes for which HAN processes personal data, how you can exercise your privacy rights, and other information of importance to you.

### **Whose personal data does HAN collect or process?**

HAN processes the personal data of the following categories of parties:

- Participant (student, course participant, external student, non-examination student)
- Employee (salaried/non-salaried staff)
- Prospective (interested in degree course, supporter from professional field, alumnus)
- Contact person (respondent, external placement supervisor, employer, supplier, parent/carer/guardian, client, applicant)

### **Which data does HAN process?**

Each process entails the processing of different personal data. The most common data are:

- Name, address and place of residence, and more extensively, telephone number, date of birth, email address
- Student number
- Bank account number (IBAN)
- Interactive data (such as cookies or information received when you contact us)
- Images (photos and videos)
- Academic information, academic progress and study results
- Surf and click behaviour
- Research data

### **Purposes of data processing**

If you register for a degree course or other course at HAN, HAN will need to process your personal data. HAN processes these data so it can provide you with good education, track your academic progress and provide optimal supervision during your learning process. This also includes the provision of primary and secondary care. Personal data are also processed in order to calculate, determine or collect tuition fees and examination fees and other contributions for learning resources and activities.

If you work/are going to work for or on behalf of HAN, HAN will process your personal data, particularly for the purposes of personnel and salary administration, such as the implementation of terms of employment, payment of social insurance contributions and taxes, and arranging agreements on social insurance payments if you cease to work at HAN. Data are also processed for purposes relating to recruitment and selection, staff supervision and evaluation, training, and company medical and social care.

In addition, HAN processes personal data for purposes relating to the compilation of electoral registers for the participation council, handling disputes, debt collection, auditing, and in order to meet other legal obligations, including the administrative and data retention requirement and the organisation and archiving of documents.

To ensure effective operational management, it is also essential that HAN processes your personal data for financial administration, the administration of purchasing and payment systems and IT management. HAN also processes your personal data for the provision and use of communication equipment, for the internal monitoring and security of this equipment, and the maintenance, management, security, use and effective operation of computer systems or programs.

In addition, HAN may have a legitimate interest in processing your personal data for purposes relating to operational management, to prepare for policy decisions made by HAN management, for promoting the quality of the education, including the National Student Survey (NSE), or for doing research into developments for the benefit of operational management or the policy on students, education or marketing. HAN may also have a legitimate interest in sending you information that is relevant to you, depending on your relationship with HAN, including sending digital newsletters by email. HAN also processes your data for general processes, such as web content management and library systems.

Is it the case that you are not a student, external student or course participant, and you do not work for or on behalf of HAN, but you do have another kind of relationship with HAN? Then your personal data will only be used for the purposes that underlie this relationship.

Are you a former student or alumnus? HAN is keen to keep in touch with former students. After you have completed your degree course, HAN uses your personal data to inform you about activities for alumni or to promote the quality of its education, including the HBO Monitor.

Is it the case that you are not a student, external student or course participant, but you have requested information from HAN? HAN may process your personal data in order to improve the HAN website and services provision or to inform you about new degree courses or other services at HAN.

In addition, HAN processes personal data for the internal management and security of the buildings, grounds, affairs and individuals on HAN sites, including by means of CCTV and the management of parking facilities.

HAN also processes personal data for the purposes of practice-based research. This concerns the data of those participating in the research. When processing these data, HAN operates in accordance with law and regulations and the relevant codes of conduct, including the 'Code of conduct for applied research for higher professional education' (Netherlands Association of Universities of Applied Sciences), the 'Code of conduct for using personal data in scientific research' (Association of Universities in the Netherlands, VSNU) and the Federa 'Code of conduct for the use of data in health research'.

### **Legal basis for processing and retention period**

The processing of data for the purposes outlined above is grounded in one of the following legal bases:

1. the consent you have given (article 6 paragraph 1 subsection a GDPR);
2. taking pre-contractual measures at your request and/or executing an agreement made with you (article 6 paragraph 1 subsection b GDPR);
3. meeting legal requirements (article 6 paragraph 1 subsection c GDPR);
4. protecting your or other people's vital interests (article 6 paragraph 1 subsection d GDPR);
5. fulfilling a task that is in the public interest or a task that forms part of the exercise of public authority (article 6 paragraph 1 subsection e GDPR);
6. protecting the legitimate interests of HAN or a third party (article 6 paragraph 1 subsection f GDPR).

In the appendix to this privacy statement, we explain the legal grounds for data-processing in relation to each process. The overview also includes the retention period used by HAN.

### **Mandatory disclosure**

When we ask you for personal data, we will always inform you of whether the disclosure of the data is essential or mandatory, and about the (potential) consequences if the data is not disclosed. The basic principle is always that HAN will not process more personal data than needed for the purposes outlined above.

### **Exchange with third parties**

If you are a student, HAN will disclose your data to the following third parties, among others:

- DUO
- The Ministry of Education, Culture and Science
- The Inspectorate for Higher Education
- Government agencies
- Municipalities
- Grant providers
- Tax authorities
- ING
- Debt collection agency
- Accountant
- Course Selection 123 for the purposes of the National Student Survey (NSE)
- Studielink
- Work placement providers
- Study and students' associations
- Partner institutions in the Netherlands and abroad (study and work placement abroad)
- The Immigration and Naturalisation Service (IND), in the case of students with mandatory residence permits

In addition, HAN can make your personal data available to an inspection and assessment body such as the NQA, Hobéon and Aequi, or to the appropriate assessment panel. In relation to the acquisition and maintenance of accreditation for a degree course, HAN is legally required to allow the commissions responsible for accreditation to inspect personal data in some cases.

If you work for or on behalf of HAN, HAN will disclose your data to the following third parties, among others:

- Pension funds

- Social security agencies
- Tax authorities
- Loyalis (insurance, surviving dependents' pension (ANW-hiaat) and IPAP partial occupational disability)
- Accountant (auditing of financial statements)
- ING (salary payments)
- Debt collection agency
- Vodafone (telephone service)
- Zorg van de Zaak (occupational health service)
- Multiflex BV (HAN-Flex)
- Start (temp workers)
- TCO / NS (NS Business Card)
- Netherlands Association of Universities of Applied Sciences (management information, partly on an individual level)
- CBS Statistics Netherlands (management information, partly on an individual level)
- In the case of legal disputes: the lawyer hired by HAN
- In the case of external coaching programmes: the external coach hired by HAN

The exchange takes place based on a legal requirement or the execution of an agreement.

The parties involved will process the data in accordance with their own privacy statement. This/these statement(s) are available from the website of the party concerned.

In addition, HAN regularly hires companies to provide (limited) services on behalf of HAN, such as sending information or answering questions. HAN only discloses the personal data to these companies that they need to provide the service in question. HAN concludes processor agreements with these companies in which it is agreed that the data will be processed confidentially by the companies and will not be used for purposes other than those agreed.

HAN does not disclose any personal data to third parties that use these data for their own purposes. Deviation from the above only occurs when:

- you have given prior consent to the disclosure in question, such as consent for the disclosure of data to your previous school; or
- HAN is legally required to disclose these data.

#### **Transmission abroad**

Your personal data will not be processed by HAN in countries outside of the European Economic Area (EU member states, Norway, Iceland and Liechtenstein), unless you are doing studies or a work placement there as part of your degree course or course. In that case, the international educational institution or organisation where you are doing a work placement will process your data.

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

HAN does not use automated decision-making and/or profiling.

#### **Security of personal data**

HAN has taken appropriate technological and organisational measures to secure personal data against loss or against any form of unlawful processing. These

measures are set out in HAN's information security policy. This policy can be consulted on the HAN website and can be requested from HAN.

### **Your rights**

You have various rights under the law, and we have listed these rights for you below.

#### *Right to inspect*

You have the right to inspect the personal data belonging to you that HAN has processed.

#### *Right to correction and deletion*

You have the right to have data changed or even deleted if these data are not or no longer correct, or if the processing is not or no longer legitimate.

#### *Right to object*

The right to object means that you can object to certain processing of your personal data based on your specific situation. You have this right in relation to all data-processing that is not based on (1) your consent, (2) the taking of pre-contractual measures at your request and/or the implementation of an agreement concluded with you, (3) the meeting of legal requirements or (4) the protection of your or other people's vital interests.

If you object to the use of your personal data to inform you about HAN activities and similar processing ("direct marketing"), we shall always honour this objection. Then your data will no longer be used for direct marketing purposes.

If you object to other forms of processing of your personal data, we will assess whether we are able to meet your objection. In this case, it is up to HAN to show that, despite your objection, we nevertheless have a legitimate interest in continuing to process the personal data. If the interests are weighed in your favour, we will stop processing the data.

#### *Right to limitation*

Under certain conditions, you also have the right to limit the processing of your data. In short, this means that HAN temporarily "freezes" the processing of the data.

You can invoke this right in four situations: (1) pending the assessment of a correction request, (2) if the data should actually be deleted but you do not want them to be deleted, (3) if the data are no longer needed by HAN but you still need them (to prepare) for a legal case and (4) pending the assessment of an objection.

#### *Right to data transferability*

You have the right to receive the data (back) that you have disclosed to HAN in a common file format. This right only applies to personal data that we process based on your consent or an agreement concluded with you. Moreover, this right only applies to data that we are already processing in digital form (thus not to analogue processing). You are subsequently free to transfer these data to another party.

If our systems are linked to those of the third party to which you wish to transfer these data, we may be able to undertake this transfer directly on your behalf.

Please enquire as to the possibilities.

### **Withdrawal of consent**

In the case that HAN processes your personal data based on your consent, you always have the right to withdraw that consent. We will then immediately stop processing the data.

The withdrawal of the consent will not have a retroactive effect. This means that all previous data-processing remains legal.

### **Exercising your rights**

You can exercise your rights free of charge, barring abuse. You can exercise your rights by contacting HAN. The contact details can be found at the end of this privacy statement.

### **Time limits**

In principle, we shall respond to your questions/requests within one month. If responding to your question/request unexpectedly takes more time, we will inform you of this within one month. It may be that due to the complexity and/or the number of requests, the response time can take up to three months.

### **Identification**

In relation to all questions/requests, we may ask for further proof of your identity. This is done to avoid disclosing personal data to the wrong party or to avoid making wrongful changes to personal data or the way we process these personal data.

### **Each request considered on own merits**

We would like to emphasise that the rights described above are not absolute rights. Situations can arise where we are unable to respond to a specific request. We will always assess each request on its own merits. If we do not respond or are unable to respond to a certain request, we will naturally inform you of this and explain why. In that case, you have the option of subsequently taking legal action.

You do have an absolute right to object to the use of data for direct marketing purposes. Requests to unsubscribe from our commercial communications are honoured in all cases.

### **Data protection officer**

HAN has appointed a data protection officer. The data protection officer oversees compliance with privacy legislation and advises HAN on that privacy legislation. The data protection officer is independent and covered by legal dismissal protection. The data protection officer reports directly to the HAN Executive Board. Moreover, the data protection officer is the contact person for all questions concerning privacy, both for you as a stakeholder and for the supervisor.

The contact details of the data protection officer can be found at the end of this privacy statement.

### **The supervisor**

You always have the option of submitting a complaint to the supervisor. In the case of privacy legislation, the supervisor is the Data Protection Authority. The contact details of the Data Protection Authority can be found on the website [www.autoriteitpersoonsgegevens.nl](http://www.autoriteitpersoonsgegevens.nl)

**Questions**

You are always welcome to ask questions about the data we process. If you have any questions about privacy, please contact us using the contact details below.

**Changes**

This privacy statement is subject to change. These changes will be announced on the HAN website. We recommend that you consult the privacy statement on the HAN website on a regular basis.

**Contact details**

If you have any questions about this privacy statement or our privacy policy, or if you wish to invoke one of your legal rights, please contact the Service Desk

Phone: 024-353 16 66

Email: [privacy@han.nl](mailto:privacy@han.nl)

The data protection officer at HAN is Mr Erik van den Beld

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