

The General Data Protection Regulations (GDPR) Information for Students

ABOUT THIS DOCUMENT

This document describes GDPR Information for students at LUNEX.

SCOPE

This document describes GDPR Information for students at LUNEX.

ROLES & RESPONSIBILITIES

DPO: owner of this document and creator/ advisor of data protection policies and processes

Employees: responsibilities are to read and adhere to the content of this document, signing to this effect

Lunex Board: Review and approval of this document

DEFINITIONS

Controller: LUNEX CEO

Processor: LUNEX Staff

Data Subject(s): Lunex Students (primarily)

Personal Data: any information relating to an identified or identifiable natural person ('data subject'), in particular 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;

Processing: Working with personal data, e.g. admitting students, updating courses and exam marks, processing requests, complaints etc.

RELATED LEGISLATION & DOCUMENTS

GDPR Regulations Document

APPENDIX/ APPENDICES

n/a

REVISIONS

Version	Date
1 st Draft	11.05.2020

APPROVAL

Date	Name	Signature

LUNEX collects the following data from students:

What	Collected/ produced When	Kept until	Deleted when
Copy of ID	During Application Process	Student leaves Lunex	Within 6 months of leaving
Copy of the ID of the person signing the SEPA Form and Study Agreement (if the applicant is under 18 years of age at the time)	During Application Process	Student leaves Lunex	Within 6 months of leaving
Copy of latest Diploma	During Application Process	Student leaves Lunex	Within 6 months of leaving
Exmatriculation Certificate	During Application Process	Student leaves Lunex	Within 6 months of leaving
Proof of English Proficiency	During Application Process	Student leaves Lunex	Within 6 months of leaving
Proof of Health Insurance	During Application Process	Student leaves Lunex	Within 6 months of leaving
Passport Photo	During Application Process	Student leaves Lunex	Within 6 months of leaving
Proof of Bank Account Funds (Int. only)	During Application Process	Student leaves Lunex	Within 6 months of leaving
Copy of Passport (Int. only)	During Application Process	Student leaves Lunex	Within 6 months of leaving
Police Report (Int. only)	During Application Process	Student leaves Lunex	Within 6 months of leaving
Copy of RIB	During Application Process	Student leaves Lunex	Within 6 months of leaving
Copy of signed SEPA Form	During Application Process	Student leaves Lunex	Within 6 months of leaving
Copy of signed Study Agreement	During Application Process	50-60 years	Not Deleted
Results	Throughout Study	50-60 years	Not Deleted
Academic Transcript	Throughout Study	50-60 years	Not Deleted
Bachelor /Master Certificate	End of Study	50-60 years	Not Deleted
Other info e.g. First Aid qualifications, Placements done, payment records	Throughout Study	Student leaves Lunex	Within 6 months of leaving

Our obligations during personal data collection are to inform you, the data subject, at the time of data collection from you, the data subject, or not from you, i.e. a third party, e.g. The Visa Office, if applicable, of the following:

Contact Details for Information and Questions:

1. The identity and the contact details of the controller (LUNEX)
+352 2884 9440
info@lunex.lu
2. The contact details of the Data Protection Officer, where applicable;
Delia Marin
+352 2884 9463
dpo@lunex.lu

Why we collect personal data and what for:

3. The purposes for which the data is processed is to manage the progression of you, the data subject, through your application to study, admission to a course, degree studies, graduation and further involvement in the University as an alumnus. Processing is included in all necessary functions supporting this.
4. Processing takes place for the legitimate purposes of managing your personal data as in no. 3 and no other processing.

To whom we provide Personal Data:

5. LUNEX does not provide personal information to any other categories of recipients except when obliged at national level as in point 8, and as in 9 below. Students act as agents between any third parties requiring personal information provided by LUNEX such as e.g. providers of scholarships or the Luxembourg Ministry of Higher Education.
6. LUNEX does not provide personal information to third countries or international organisations.
7. LUNEX may compile and provide anonymised personal data for purposes of compiling statistics as required by e.g. the Luxembourg Ministry of Higher Education. In these cases, the data will be anonymised so that is not possible either by inference or cross reference to ascertain the identity of the persons in the data.
8. LUNEX may be required to provide personal data for the performance of a task carried out for reasons of public interest for scientific or historical research purposes. In this case, you have the right to object to your personal data being processed, unless provision of personal data is deemed necessary at a high or government level. You will however be informed prior to your data being provided.
9. LUNEX provides a copy of your student card and a copy of your ID or passport to the Luxembourg National Library as part a service helping you to register with and then use the resources of the national Library. If you do not wish to take advantage of this service, you

are welcome to perform this task yourself, thereby providing the national library with the

required documents yourself.

What data we collect and for how long:

10. LUNEX stores personal information as provided during the application and admission stages, and data generated during the degree program for the duration of the degree program. After the student has graduated, LUNEX stores only information in the table above. All other data e.g. payments details or correspondence during the study period is deleted. Data is stored for a period of 50 - 60 years after the student graduates. The Luxembourg Ministry of higher education does not prescribe a mandatory length of time this data should be stored. LUNEX therefore follows international trends or averages in this matter, typically 50-60 years.

Your rights regarding your personal data:

11. You have a right to request what personal data LUNEX stores about you at any time as well as the right to request rectifications if you discover errors. Requests for rectifications to personal data will need to be accompanied by supporting documentation.
12. You may not withdraw your consent to processing your personal data by LUNEX if it contradicts the law of Luxembourg.

You have the right to lodge a complaint regarding the processing of your personal data with a supervisory authority.

The supervisory authority for Luxembourg is:

National Data Protection Commission

1, avenue du Rock'n'Roll

L-4361 Esch-sur-Alzette

Tél. : (+352) 26 10 60 -1

Fax. : (+352) 26 10 60 29

E-mail: info@cnpd.lu

Why the provision of your personal data is a requirement for studying at LUNEX:

13. The provision by you of your personal data is a requirement in order to enter into a contract to study at LUNEX. You will not be admitted to study at LUNEX unless you provide the requested personal information that proves that you meet the entrance requirements to study and that enable LUNEX to verify the correctness of your data and manage your personal data as described in paragraph 10.

How you give us permission to process your personal data:

14. By signing the Study Contract, you agree to LUNEX processing personal data required to admit you to, and manage, your degree progress from initial enquiry to alumnus status.

Use of Automated Selection Processes or Profiling:

15. LUNEX does not make use of methods of automatic selection or profiling.

Data acquired from third parties:

16. Where student recruitment is via an agency, person data will be acquired by Lunex University from that agency.

Right to Data Erasure

17. You have the right to erasure of personal data held by LUNEX except in the instances where:
- a. By law, data may not be erased, at least for a specific time period;
 - b. for exercising the right of freedom of expression and information;
 - c. for compliance with a legal obligation which requires processing by Union or Member State law to which LUNEX is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in LUNEX.
 - d. for reasons of public interest in the area of public health
 - e. for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes
 - f. for the establishment, exercise or defense of legal claims.

Right to restriction of processing

18. You, the data subject, shall have the right to obtain restriction of processing by LUNEX where one of the following applies:
- a. You have contested the accuracy of the personal data, for a period enabling the LUNEX to verify the accuracy of the personal data;
 - b. the processing is unlawful, and you oppose the erasure of your personal data and have requested the restriction of their use instead;
 - c. LUNEX no longer needs the personal data for the purposes of the processing, but they are required by you, the data subject, for the establishment, exercise or defense of legal claims;
 - d. You have objected to processing pending the verification whether the legitimate grounds of LUNEX override those of the data subject.
19. Where processing has been restricted under paragraph 18, such personal data shall, with the exception of storage, only be processed with your, the data subject's, consent or for the establishment, exercise or defense 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 States.
20. If you have obtained restriction of processing pursuant to paragraph 18, you shall be informed by the by LUNEX before the restriction of processing is lifted.

Notification obligation regarding rectification or erasure of personal data or restriction of processing

21. LUNEX is required to communicate any rectification or erasure of personal data or restriction of processing carried out to each recipient to whom the personal data belongs, unless this proves impossible or involves disproportionate effort.

Notification of Unauthorised Data Disclosures: Data Breaches

22. LUNEX is obliged to notify both the Supervisory Authority and you, the data subject, of any unauthorised data disclosures (breaches) a per the following conditions:

Notification of a personal data breach to the supervisory authority:

- In the case of a personal data breach, the LUNEX should without undue delay and, where feasible, not later than 72 hours after having become aware of it, notify the personal data breach to the supervisory authority unless the personal data breach is unlikely to result in a risk to the rights and freedoms of natural persons. Where the notification to the supervisory authority is not made within 72 hours, it shall be accompanied by reasons for the delay.
- The staff member who became aware of the breach shall notify the LUNEX without undue delay after becoming aware of a personal data breach.
 - The notification needs to at least:
describe the nature of the personal data breach including where possible, the categories and approximate number of data subjects concerned, and the categories and approximate number of personal data records concerned;
 - communicate the name and contact details of the data protection officer or other contact point where more information can be obtained;
 - describe the likely consequences of the personal data breach;
 - describe the measures taken or proposed to be taken by the controller to address the personal data breach, including, where appropriate, measures to mitigate its possible adverse effects.
- Where, and in so far as, it is not possible to provide the information at the same time, the information may be provided in phases without undue further delay.
- The controller shall document any personal data breaches, comprising the facts relating to the personal data breach, its effects and the remedial action taken. That documentation shall enable the supervisory authority to verify compliance with this.

Communication of a personal data breach to the data subject (you)

- When the personal data breach is likely to result in a high risk to the rights and freedoms of natural persons, the controller shall communicate the personal data breach to the data subject without undue delay.
- The communication to the data subject must be in clear and plain language describing the nature of the personal data breach and contain at least the information and measures referred to in points as for notification to the supervisory body above.
- LUNEX is not required to inform you if any of the following conditions are met:
 - Lunex University has implemented appropriate technical and organisational protection measures, and those measures were applied to the personal data affected by the

personal data breach, in particular those that render the personal data unintelligible to any person who is not authorised to access it, such as encryption;

- LUNEX has taken subsequent measures which ensure that the high risk to the rights and freedoms of data subjects referred to in the first paragraphs no longer likely to materialise;
 - it would involve disproportionate effort. In such a case, there shall instead be a public communication or similar measure rather than a personal communication whereby you are informed in an equally effective manner.
- If LUNEX has not already communicated the personal data breach to you, the data subject, the supervisory authority, having considered the likelihood of the personal data breach resulting in a high risk, may still require it to do so.

Right to Data Portability

23. You, the data subject, have the right to receive your personal data, which you have provided to LUNEX, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from LUNEX to which you initially provided personal data, where:

- e. You have given permission to LUNEX to process your personal data as part of a contractual agreement or where you have given LUNEX explicit permissions to process special categories of data.
- f. the processing is carried out by automated means.

24. You have the right to have the personal data transmitted directly from LUNEX to another controller, where technically feasible.

25. The exercise of the 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 LUNEX.

26. Your right to data portability shall not adversely affect the rights and freedoms of others.

Objection to the Use of your Personal Data:

27. According to the GDPR, you have a right to object to your data being used for:

- direct marketing purposes,
- profiling, or where
- data is used for scientific or historical research purposes or statistical purposes.

In the case of the third point, you may object unless the processing is necessary for the performance of a task carried out for reasons of public interest.