

Data Protection Terms at Tallinn University

These data protection terms are in line with the General Data Protection Regulation (<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0679&from=EN>) (hereinafter the General Regulation) of the European Parliament and of the Council (“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”) and Personal Data Protection Act (<https://www.riigiteataja.ee/en/eli/523012019001/consolide>).

The legal duty of Tallinn University is to promote sciences and culture, to provide necessary education, research and other services based on creative activities for the society. As a legal person in public law, the university is a holder of public information for all of its operations.

Tallinn University, considering the privacy of persons and protection of personal data vital, and appreciating the trust of the data subject, acts in accordance with the following data protection conditions:

1. Terms and abbreviations

- 1.1. **“Data subject”** – an identified or identifiable natural person whose personal data is processed by Tallinn University, incl. persons studying in degree studies or in continuing education, participants in conferences, employees, service providers, visitors to the homepage, persons filing applications;
- 1.2. **“Personal data”** – any information on the data subject, incl. name, personal identification code, contact details, computer’s IP-address;
- 1.3. **“Processing of personal data”** – personal data processing operations, incl. collection, retention, use, alteration, erasure;
- 1.4. **“Controller”** – a person who determines the purposes and means of the processing of personal data;
- 1.5. **“Processor”** – a person who processes personal data on behalf of the controller;
- 1.6. **“Third person”** – a person who is neither a data subject, controller, processor nor an employee for the abovementioned persons;
- 1.7. **“Third country”** – a country that is not a member state of the European Union.
- 1.8. **“AKI”** – Andmekaitse Inspektsioon (Estonian Data Protection Inspectorate), supervisory body of the protection of personal data;
- 1.9. **“TLU”** – Tallinn University, legal person governed by public law.

2. The terms and conditions we follow

- 2.1. TLU processes personal data in order to perform the tasks assigned to it by the legal acts.
- 2.2. In the performance of tasks assigned to it by legislation, TLU observes the principles laid down in the Personal Data Protection Act and in the General Regulation.
- 2.3. All documents that are created or obtained in the course of TLU’s activities, incl. documents containing personal data, are registered in the document management system.
- 2.4. TLU keeps the personal data at its disposal from unauthorised and inadequate use. For ensuring the protection and legitimate processing of personal data, TLU takes organisational, technical, etc., measures comprising the following:
 - 2.4.1. Information containing personal data has been declared as information for internal use, for which the restriction on access has been established. We aim to ensure by our internal organisation of work that the infringement of your private life is

minimal. Therefore, we only process these data which are necessary for achieving the purpose and allow access to data only for those university employees who need them for performing their duties;

- 2.4.2. TLU processes personal data on paper or in the information system. The information system where personal data are processed, and the locations, restrictions on access and retention periods have been laid down also in the list of TLU documents;
- 2.4.3. TLU allows access to personal data only for those appropriately trained employees who have the right to process personal data only to the extent necessary for achieving the purpose for which the personal data are processed;
- 2.4.4. Regardless of the restriction on access, TLU issues documents to institutions or persons, who have the legal right to claim the relevant document (courts, enforcement agents, police officers and other persons with respective competence).
- 2.4.5. Personal data that TLU no longer needs, incl. due to the expiry of the retention period, will be destroyed.

3. Processing of the personal data of prospective students

- 3.1. TLU processes (incl. transmits) the personal data of students, learners who take up studies at the university only within the framework of the performance of public duties and for the performance of the contract concluded with us as well as for meeting the legal obligation devolved upon the university.
- 3.2. As a controller, TLU processes the data of persons who have applied for professional higher education studies, integrated Bachelor's and Master's studies or doctoral studies (degree studies). The university processes the personal data of prospective students on the basis of consent submitted through the admissions information system (SAIS) or through the international application system DreamApply. The extent of and principles for processing personal data submitted through SAIS can be examined on the admissions information system's website (<https://sais.ee/ContentPages/Terms>). Same principles regarding DreamApply can be found on the DreamApply's website (<https://dreamapply.com/terms/>).
- 3.3. The personal data of prospective students reach SAIS through national registers (population register, Estonian Education Information System (EHIS) and the examinations information system (EIS)), or are entered into the system on the basis of documents on paper or information submitted by the prospective students. Prospective students give their consent to the processing of their personal data in the SAIS in the case they enter the data themselves as well as in the case the data is entered by the university on the basis of their application either in electronic form or on paper. The university may address queries in the SAIS to national registers for data verification. The university may also repeat queries to registers in order to check whether studies, which were ongoing at the moment of submitting the application, have been completed or to renew the prospective student's name on the basis of their statement in the case it has changed. The university may check the validity and authenticity of the documents the prospective student has submitted (e.g., international language certificates) from appropriate registers and submit the personal data of a prospective international student, incl. education-related data, subject to the consent of the prospective student, for assessing qualification to the structural unit Estonian ENIC/NARIC of the Education and Youth Board.
- 3.4. TLU may send feedback questionnaires to persons who have given respective consent in the admission application, and process the data received with the aim of improving the admission process.

3.5. After the admission decision has been made, TLU enters the personal data of admitted students to the Study Information System (ÕIS) and processes these on the basis of principles described in the next chapter.

4. Processing of the personal data of students

4.1. TLU as the controller processes through ÕIS and other information systems that support studies the following personal data of degree students:

- 4.1.1. first name and surname, personal identification code, date of birth, origin, citizenship and contact details. The main aim of processing these personal data derives from the Tallinn University Act (<https://www.riigiteataja.ee/en/eli/529082019024/consolide>) and Higher Education Act (<https://www.riigiteataja.ee/en/eli/525062020001/consolide>), and such processing is necessary for the personalisation of the student, organising studies, creating a user account in the university's computer network for the student and issuing academic documents. TLU uses the contact details also for sending invitations to participate in the university surveys and for communicating important information regarding TLU organisations (such as the Student Union) and the activities at the university (such as events);
- 4.1.2. education data that is necessary for organising studies, such as data concerning previous education, higher education that is currently obtained (study programme and the choices made within it, study form and load, the commencement date and end date of studies, academic performance) and work experience;
- 4.1.3. data that is necessary for applying for grants, scholarships, exemptions from the reimbursement of the study costs and data necessary for applying for and checking academic leaves, such as the bank account number, data on family members and attending military service;
- 4.1.4. special categories of personal data contained e.g., in certificates issued by medical institutions needed for applying for exemption from the reimbursement of the study costs, for adjustments arising from special needs or for justifying absence from examinations, and applications for taking academic leaves and scholarship applications.

4.2. The legal basis for such processing of students' data is TLU's legal obligation and/or duty in the public interest (organisation of studies). The legal basis derives from the national legislation (e.g., the Higher Education Act, Tallinn University Act, Study Allowances and Study Loans Act, Professions Act, Aliens Act) the implementation of which is governed by regulations (e.g., regulation of national scholarships, regulation of diplomas and academic transcripts, statutes of EHIS (Estonian Education Information System)), and legal acts of the university (e.g., requirements and procedures for degree study admission, Study Regulations, Regulations for Doctoral Studies and Defence of Doctoral Theses, terms and conditions of and the procedure for applying for and payment of scholarships and grants);

4.3. TLU processes students' personal data in multiple information systems: ÕIS, information system of document management and e-learning environments (e.g., Moodle, Google Classroom). The users of e-learning environments have the option of supplementing their user profiles by voluntary data that help to make the e-learning environment more convenient to use. The legal basis for the processing of these data is the user's consent. The user has the right to alter and erase these data any time.

4.4. If a student applies for support from external persons (e.g., cooperation partners, providers of support) or participates in projects financed and controlled by external persons, the university transmits the student's data to these persons. In this case, the basis for the

processing of personal data is the student's consent they have given upon submitting the application and/or request.

- 4.5. The university may use the contact details of the alumni on the basis of legitimate interest for conducting alumni surveys and for introducing further study opportunities and alumni activities.

5. Processing of the personal data of continuing education students

- 5.1. TLU as the controller processes the personal data of continuing education (continuing education training, degree subject as continuing education) learners. For the purpose of the organisation of continuing education, preparation of documents and reporting, the university processes primarily the following personal data of continuing education learners:
 - 5.1.1. first name and surname, personal identification code, contact details, position, data on education and work experience, data of the payer;
 - 5.1.2. the school and class of continuing education learners who participate in trainings intended for general education schools, incl. the Student Academy and the Film School of BFM;
 - 5.1.3. data of persons applying for the international Summer and Winter School, presented on the registration form;
 - 5.1.4. data of a continuing education learner, which is presented on the registration form, and his/her learning outcomes in the completion of the continuing education training;
 - 5.1.5. other personal data of continuing education learners. These are collected by the university subject to the consent of the continuing education learner and at the request of the sponsor of the continuing education depending on the training order. The university informs the continuing education learner thereof separately.
- 5.2. The legal basis for such processing of continuing education learners' data is either legal obligation and/or duty in the public interest, depending on the type of continuing education. The legal basis derives from national legislation (e.g., the Adult Education Act, Aliens Act) the implementation of which is governed by regulations (such as the statutes of EHIS) and legal acts of the university (e.g., Regulations of Continuing Education). In the case of paid training, the legal basis for the processing of personal data may also be the contract concluded with the continuing education learner.
- 5.3. If the continuing education learner gives a separate consent, the university:
 - 5.3.1. uses his/her e-mail address for sending information on other trainings organised by TLU, adding the continuing education learner to the relevant information list. The continuing education learner can remove his/her address from the information list any time through the link in the e-mail;
 - 5.3.2. processes the personal data of the continuing education learner voluntarily provided by him/her for the performance of contract concluded with him/her and/or meeting the legal obligation.
- 5.4. The university may use the contact details of final-year students who have participated in the continuing education subject to their prior consent in its marketing activity to offer them further education options in the degree studies of the university.
- 5.5. The university may, on the basis of legitimate interest, transmit the data concerning the participation of a general education school student in trainings, incl. the Student Academy, to the school of the student. The university may also, on the basis of legitimate interest, transmit the data concerning the continuing education learner to a third person who has paid for the continuing education (e.g., the employer of the continuing education learner).

- 5.6. TLU processes continuing education learners' personal data in multiple information systems, if necessary: TÕIS, ÕIS, information system of document management and e-learning environments Moodle and eDidaktikum.
- 5.7. After the continuing education learner has registered himself/herself to a TLU training in the continuing education information system Juhan, his/her data will be transmitted to TLU as the controller. After the training, TLU sends the learning outcomes into the information system Juhan. The university is authorised to do so on the basis of consent given by the continuing education learner upon registering as the user of the information system Juhan. Please see also the terms of use of the continuing education information system Juhan.
- 5.8. Training materials that contain personal data (such as registration forms) will be destroyed after the purpose of the collected data has been achieved.

6. Processing of the personal data of job applicants

- 6.1. As a controller, TLU mainly processes the following personal data of person applying for a job in Tallinn University:
 - 6.1.1. data which are necessary for identifying a person, primarily first name and surname;
 - 6.1.2. data which are necessary for getting into touch: e-mail address, phone number;
 - 6.1.3. data which are necessary for recruitment, e.g., data concerning education, continuing education and work experience, and research and development.
- 6.2. When a person has submitted data required for applying for the job, we presume that they have consented to processing of his/her personal data for the purpose of employment.
- 6.3. When a person has submitted contacts of referees in his/her application documents, we presume that he/she has consented to the university contacting the referees.
- 6.4. If the rejected applicant gives a separate consent, we may make a proposal to the applicant to participate in another competition announced in TLU, where appropriate.
- 6.5. We retain the application documents of rejected applicants on the basis of legitimate interest for the purpose of resolving possible legal disputes for one year as of the rejection decision.
- 6.6. For the pre-selection of applicants, we may use psychometric tests (such as the cognitive ability test and the personality test), if the applicant has consented to it in the testing environment. On the basis of interpreting the test results, TLU may receive from the organiser of the test as the processor of personal data more personal data concerning the applicant (e.g., personality traits).
- 6.7. Personal data are processed differently upon recruiting academic employees and non-academic employees.
- 6.8. Upon the recruitment of non-academic employees, only those employees of TLU who participate in the recruitment process examine the appropriate application documents. These documents and the personal data therein are not disclosed to third persons. Personal data of applicants constitutes information for which the restriction on access has been established. Third persons (incl. competent authorities) gain access only in the cases set out in the legislation.
- 6.9. In filling academic posts, experts who are not university members also examine the relevant application documents in addition to TLU employees participating in the recruitment process, where appropriate (e.g., in filling higher-level posts). The personal data of applicants constitutes information for which the restriction on access has been established. Third persons not concerned (incl. competent authorities) gain access only in the cases set out in the legislation. In carrying out the competition, we follow the Employment Relations Rules of Tallinn University.

7. Processing of the personal data of employees

- 7.1. TLU as the controller processes on the basis of the employment contract and for meeting the obligations arising from legal acts (e.g., tax laws, legal acts concerning working, the Accounting Act) the following personal data of university employees:
- 7.1.1. data which are necessary for identifying a person: first name and surname, personal identification code, or, in the absence thereof, date of birth and citizenship;
 - 7.1.2. contact details necessary for the conclusion and performance of an employment contract: e-mail address, phone number and postal address;
 - 7.1.3. family and social data, e.g., data concerning the employee's children for childcare-related leave, death certificate of the employee or those closest to him/her for the payment of the funeral allowance, Defence Forces service or reserve training certificate, etc.;
 - 7.1.4. data concerning qualification and professional development;
 - 7.1.5. financial data, e.g., bank account number, application for taking into account tax-free income and information concerning retirement;
 - 7.1.6. data concerning the employment relationship, e.g., documents related to the development interview and evaluation;
 - 7.1.7. data concerning the state of health of the employee, e.g., medical certificates, decisions on the results of the medical examination, data related to accidents at work and occupational diseases.
- 7.2. The university also processes personal data on the basis of legitimate interest for performing its administrative tasks and ensuring security (incl. upon recording the employees' data in databases).

8. Visiting the webpage www.tlu.ee of Tallinn University

- 8.1. TLU uses cookies on its webpage www.tlu.ee. Cookies are small files that are downloaded in the user's device by the websites that the user visits. The aim of using cookies is to distinguish the user from other persons visiting the webpage and to make the webpage more convenient to use through the received information. With the help of cookies, information regarding the IP of the user, type and version of their web browser, time and duration of the visit to the webpage, preferences and interests of the user, etc. is saved.
- 8.2. Cookies used on TLU's webpage www.tlu.ee:
- 8.2.1. Technical and functional cookies – enable the users to use the webpage and to make it more comfortable to use;
 - 8.2.2. Analytical cookies (*Google Analytics*) – help us to keep statistics on the usability of and number of visits to the webpage, and to analyse the visitors' behaviour on the page. TLU uses the information obtained for the purpose of improving and complementing the services of its webpage;
 - 8.2.3. Cookies for commercial purposes – we use these for presenting and targeting advertisements to/at you. During the entrance campaign, the university may advertise to the users of its webpage on the basis of the IP-address;
 - 8.2.4. Third persons' cookies. The university uses cookies created by third persons mostly for displaying advertisements, marketing and keeping statistics on the number of visits to the webpage;
 - 8.2.5. Authentication cookies that the webpage uses for checking the identity of the user who has logged in.
- 8.3. If you do not wish that cookies will be saved in your computer, you may block these in the settings of your web browser.

- 8.4. Please note that visiting TLU's webpage is possible also while the use of cookies is forbidden, but certain services or certain parts of the webpage may still not function as expected. The refusal to use cookies may limit the possibilities of using the TLU webpage.
- 8.5. Also, please note that TLU webpage contains links to other webpages and TLU is neither responsible for sharing data on other webpages nor for the privacy policy of other webpages.

9. Transfer of personal data to third countries

- 9.1. TLU transmits personal data to third persons and/or third countries only in the scope and for the purpose determined by the law, contract, consent or legitimate interest, in full compliance with all legal acts governing data protection. If TLU needs to transmit personal data outside the European Union or to territories considered to be equivalent in order to perform the tasks assigned to it, equivalent level of protection of personal data needs to be ensured outside the borders of the EU at least on the same level of adequacy as within the EU in accordance with Article 45 of the General Regulation. If, according to our knowledge, the level of protection of personal data on the territory of the country of final destination is not equivalent to the level of protection in force on the territory of the EU, we shall inform you thereof in writing by e-mail and you have the possibility to provide your confirmation either regarding the transfer of your data or the prohibition of the transfer of your data.

10. Responding to requests for explanations and memoranda, information requests and other letters

- 10.1. Personal data are used for responding to requests. If a request from a third person must be made in order to prepare the response, personal data will be disclosed to him/her at the minimum level. If responding to the letter is within the competence of another authority, the letter will be forwarded to the corresponding authority and the sender of the letter will be informed thereof.
- 10.2. Restriction on access has been established for the correspondence with private persons. If someone wishes to examine a person's correspondence and submits the relevant request for information, the content of the letter is reviewed and it is decided whether the document may be issued in part or in full. The document to be issued will not retain personal contact details such as e-mail or postal address, or the phone number. In other cases, restriction on access depends on the content of the document. The possible bases for restrictions on access have been laid out in the Public Information Act.
- 10.3. We will issue documents to an institution or a person having a direct legal right to examine the documents (such as the body conducting pre-trial proceedings or the court) regardless of the restriction on access.
- 10.4. Inquiries and letters addressed to Tallinn University are retained in the list of documents until the fixed retention period. After the expiry of the retention period, documents will be destroyed.

11. Video surveillance

- 11.1. When you pay a visit Tallinn University, please take into account that for the protection of persons on the territory and in the buildings of the university, and for the purpose of ensuring the security of the university's property, a surveillance equipment that functions on a 24-hour basis is used. Data is stored for 30 calendar days and, in the case of legitimate

interest, it is possible to examine the data by submitting a reasoned request via the e-mail address tlu@tlu.ee.

- 11.2. TLU uses video surveillance as a security measure for preventing the entry of unauthorised persons into the work premises and for preventing situations posing a threat to the safety of university employees, students and third persons, for ensuring security, for reacting to dangerous situations and for ensuring the security of university's property.
- 11.3. Video surveillance equipment is used for observing the university's calm traffic areas, entry areas, hallways, lobbies.
- 11.4. A relevant sign informs of the use of the video surveillance system on the territory and in the buildings of the university.
- 11.5. In order to ensure the security of the personal data processed by TLU, the access of unauthorised persons to the video surveillance system and the surveillance equipment is prevented, which avoids the unauthorised observing, copying, modifying, removal and erasure of the recordings.
- 11.6. Only those employees of TLU have access to the video surveillance system and the surveillance equipment who have received appropriate training, and they have the right to process personal data only to the extent which is necessary for achieving the purpose for which the personal data are processed.
- 11.7. TLU has the right to transmit the collected data to law enforcement authorities, national and local government authorities.
- 11.8. TLU transmits the recordings of the video surveillance system only at the request of an institution proceeding an infringement of the law in accordance with the law during the proceeding of the infringement of the law and where the recordings exist.

12. Processing of the personal data of the university's contractual cooperation partners

- 12.1. In the course of the joint action of TLU and its cooperation partners, the personal data of the data subjects are processed for providing the service agreed in the contract entered into between TLU and the cooperation partner.
- 12.2. Services related to the cooperation partners and personal data processed in the course of providing these services generally include the following:
 - 12.2.1. rental of premises (first name, surname, personal identification code; registration number of the car and a copy of the registration certificate for renting a parking place, contact phone number);
 - 12.2.2. issue of access cards (first name, surname, personal identification code for the issue of access cards, in the case of security service, also data proving the qualification);
 - 12.2.3. organisation of events (first name, surname, personal identification code, e-mail, information concerning special needs and food, video image, video and audio recordings, photos);
 - 12.2.4. management of the information displayed by the surveillance equipment (image of the person, logs of using the access cards).

13. Processing of the personal data in the use of the services of the TLU Sports Club

- 13.1. For the use of the services of the TLU Sports Club, primarily the gym, TLU processes the following personal data of its clients (TLU employees, students and other third parties):
 - 13.1.1. first name and surname of the data subject;
 - 13.1.2. e-mail address of the data subject.

14. The right to access to one's data

- 14.1. Upon request, you can obtain more information on the processing of your personal data. Everyone has the right to examine the personal data collected on them and demand the rectification of inaccurate data. If the restriction on access has been established for the personal data, Tallinn University must first verify the identity of the person.
- 14.2. If there is no longer a legal basis for processing your personal data or for enabling access to these, you may demand the restriction or termination of their use, erasure of the data or termination of enabling access to them. It is possible to request rectification or removal of your data that are incorrect or that you do not wish to be recorded.
- 14.3. If you have any questions concerning the processing of personal data, please address TLU using the following contacts: address: Tallinna Ülikool, Narva mnt 25, 10120 Tallinn, phone: +372 640 9101; e-mail: tlu@tlu.ee. Data Protection Specialist, phone: +372 640 9102, e-mail: andmekaitsepetsialist@tlu.ee.
- 14.4. A person is not allowed to examine the data collected on him/her in Tallinn University if it may:
 - 14.4.1. violate the rights and freedoms of another person;
 - 14.4.2. prevent the combating of a criminal offence or capturing a criminal;
 - 14.4.3. make more complicated the ascertaining of truth in a criminal proceeding;
 - 14.4.4. jeopardize the protection of the confidentiality of the child's filiation.
- 14.5. The principles described above do not include the processing of personal data on webpages which have been referred to on the webpage of Tallinn University, but which are not administered by Tallinn University.

15. Appeals

- 15.1. If the data subject finds that TLU has infringed their rights, they have a right to seek legal redress any time from the Estonian Data Protection Inspectorate or the court.
- 15.2. If your permanent residence is located in another EU member state, you can find the contacts of the relevant institution on The European Data Protection Board's ((EDPB) website (https://edpb.europa.eu/about-edpb/about-edpb/members_en#member-ee))
- 15.3. Tallinn University reserves the right to alter the data protection terms at any time and unilaterally.