**Privacy notice**

**for processing of data relating to a thesis/portfolio for a data subject under 18 years**

in accordance with Article 12 (1) of Regulation (Eu) 2016/679 of the European Parliament and of the Council (henceforth: GDPR)

The student writing a thesis/portfolio (hereinafter referred to as thesis) at Eötvös Loránd University (1053 Budapest, Egyetem tér 1-3.), and the student named on a questionnaire (hereinafter referred to as **student**), **as a data controller, processing personal data/personal data and special categories of personal data[[1]](#footnote-1) for the purpose of writing a thesis.**

In addition, the **data controller from the submission of the thesis onwards,** **in the academic processes is the relevant ELTE Office of Educational Affairs** (contact: <https://www.elte.hu/en/faculty-administration-offices>) and for the data processing in the repository, the ELTE University Library and Archives (contact: editadmin@lib.elte.hu).

Data processor[[2]](#footnote-2): Microsoft, in case of using MS Forms (online questionnaire); SDA Informatika Zrt, the operator of the University's electronic study system (NEPTUN).

Automated decision making[[3]](#footnote-3) does not take place and as it is not possible to apply for a grant with a thesis that is treated confidentially, the data will not be transferred.

The thesis containing personal data of the minor concerned is automatically confidential. The defence of the thesis treated confidentially is not public. Personal data (including special categories of personal data) asked for the purpose of writing the thesis (e.g. questionnaire, audio recording) and contained in the thesis may be accessed by the staff at the Study Office of the faculty concerned, the supervisor(s)/ subject methodology instructor(s), the opponents and members of the evaluation committee, a reasonable number of library administrators and the person appointed by the Dean to review the confidentiality[[4]](#footnote-4).

If the personal data of the minor data subject are included in the thesis, the consent forms on which the thesis is based will be kept confidential. In all other cases, the voice recordings and questionnaires on which the thesis is based shall be destroyed after the successful defence of the thesis or after the unsuccessful expiry of the time limit for the defence.

The **legal basis for the processing** **is the consent** **indicated in the questionnaire** by the statutory representative of the minor (e.g. parent) concerned and by the minor aged 14 or over,in accordance with Article 6(1)(a) of the GDPR; in addition, in the case of special categories of data, explicit consent pursuant to Article 9(2)(a) of the GDPR. Data subject has the right to withdraw his/her consent at any time, especially by sending an e-mail to the contact person. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal*.*

Following the submission of the thesis, data processing is necessary for **the performance of a task carried out in the public interest** pursuant to Article 6 (1) (e) of the GDPR, in accordance with the rules of Act CCIV of 2011 on National Higher Education. Data subject shall have the **right to object**, on grounds relating to his/her particular situation, **at any time** to processing of personal data concerning him/her. The controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims (hereinafter referred to as right to object).

The legal basis for the retention of the consent statements is Article 6 (1) (e) of the GDPR, so that the University can demonstrate the legal compliance of its public interest mission and the lawfulness of the processing as set out in Article 5 (2) of the GDPR. Data subject may exercise his/her right to object (see above).

**Duration of the processing:** eighty years from the notification of the termination of the student relationship (see Appendix No. 3, point I/B. 3 of the Act on National Higher Education).

**Rights of data subject** (for details see <https://adatvedelem.elte.hu/rightsofdatasubject>):

1. **Transparent information, communication and modalities for the exercise of the rights of the data subject** – In this privacy notice the controller provides information about the circumstances of data processing, e.g. data controller, purposes, legal basis and duration of data processing, enforceable data subject rights, complaint procedures and available legal remedies for data subjects;
2. **Right of access by the data subject** – Data subject has the right to obtain from the controller confirmation as to whether or not personal data concerning him/her are being processed, the controller shall provide complete information and a copy of the personal data undergoing processing;
3. **Right to rectification** – Data subject has the right to obtain from the controller the rectification of inaccurate personal data concerning him/her and data subject also has the right to have incomplete personal data completed;
4. **Right to erasure (‘right to be forgotten’)** – Data subject can ask for the controller the erasure of his/her personal data;
5. **Right to restriction of processing** – If the data subject asks, his/her personal data can’t be processed with the exception of storage;
6. **Notification obligation regarding rectification or erasure of personal data or restriction of processing** – We inform the data subject about the recipients referred to GDPR under the conditions set out in the GDPR;
7. **Right to data portability** (if the controller processes the data on the basis of the data subject’s consent/contract
and the processing is carried out by automated means) – data subject has the right to receive his/her personal data, which the data subject has provided to a controller, in a structured, commonly used and machine-readable format and the data subject has the right to have the personal data transmitted directly from one controller to another, where technically feasible;
8. **Right to object** – Data subject can object, at any time to processing of his/her personal data if the processing is based on a legitimate interest pursued by the controller or by a third party or the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
9. **The right not to be subject to a decision based solely on automated processing, including profiling** – Data subject may tell us, if he/she is concerned! This right is not relevant if this privacy notice does not contain information about automated decision-making.
10. **The right to legal remedy** – In the case of breach of rights, data subject can turn to the data protection officer, to the National Authority for Data Protection and Freedom of Information or data subject can sue in court.

**In the case of any questions or the need legal remedy, the data subject may turn to:**

**Data protection officer of the University:**

Data Protection Office

1053 Budapest, Ferenciek tere 6.

Tel.: +3614116500/2855

Email: dataprotection@elte.hu

**National Authority for Data Protection and Freedom of Information**

1363 Budapest, Pf. 9.

[www.naih.hu](http://www.naih.hu)

Tel.: +36-1-391-1400

**The court:**

Data subject can sue for a claim according to his/her place of residence.

1. special categories of personal data: Article 9(1) GDPR: personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation; [↑](#footnote-ref-1)
2. ‘processor’ means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller; [↑](#footnote-ref-2)
3. automated decision-making: a decision based solely on automated processing, including profiling, which produces legal effects concerning the data subject or similarly significantly affects the data subject, such as automatic refusal of an online credit application or e-recruiting practices without any human intervention; [↑](#footnote-ref-3)
4. See also Section 50(6) of Act CCIV of 2011 on National Higher Education. [↑](#footnote-ref-4)