

Kajaani University of Applied Sciences' (KAMK Oy) Data Protection Policy

Compiled: 14.5.2018

Approved: Board of KAMK Oy, 24.5.2018

Scope of the data protection policy

Data protection means protecting the privacy of natural persons in the processing of personal data. Personal data means any information relating to an identified or identifiable natural person.

KAMK's data protection policy is the highest-level document that guides data protection at KAMK. It describes the basic principles, liabilities and significance of personal data processing at KAMK.

The data protection policy covers all activities involving personal data processing at KAMK. All personal data processing activities must comply with the provisions of the General Data Processing Regulation, the law and data protection policy. The policy is based on the principle of transparency and openness towards the data subject.

Data protection by design and default

Ensuring that data protection measures are implemented is part of KAMK's everyday work and risk management. Data protection is already considered when services, processes and systems are in the planning stage.

When processing personal data, KAMK complies with the following data protection principles during every stage of the data life cycle:

- lawfulness, reasonableness and transparency
- processing for intended purpose of use
- data minimization
- data accuracy
- data storage restriction
- data integrity and confidentiality
- controller's burden of proof

KAMK has taken the appropriate technical and organizational measures to ensure that the data protection principles are integrated into personal data processing by design and that by default only those personal data that are needed to accomplish the purpose shall be processed.

In its employer capacity, KAMK must ensure that every employee understands the significance of the principles above and complies with them.

Roles and responsibilities in the implementation of data protection

Every member of the higher education community (management, employees, students, visiting experts and users of the university of applied sciences' systems and services) has the legal obligation of complying with the data protection regulation, the law, data protection policy and any other

5.3.2018

procedures, rules and instructions concerning data protection at KAMK. Every member is liable to report suspected or observed data protection/data security threats or breaches.

KAMK's management has the overall responsibility for maintaining the data file as well as organizing, developing and providing resources for data protection.

The directors and Heads of School are responsible for ensuring that the schools/units comply with the data protection regulation, the law, data protection policy and any other procedures, rules and instructions concerning data protection at KAMK.

Managers are responsible for ensuring that their staff have the sufficient competence, opportunities for sufficient training, guidance and appropriate tools for the lawful processing of personal data. It is the task of the manager to monitor the implementation of data protection measures in the work of his or her staff and to ensure that new staff members are familiar with data protection.

The owner of the personal data file is the manager/director of the respective function. He/she is responsible for ensuring that the personal data processing under his/her charge has been planned and documented in accordance with the data protection regulation taking into account the principles of data protection. He/she is responsible for, monitors and checks that the necessary technical and organizational measures are in place to guarantee compliance with data protection obligations.

The contact person for the personal data file is/are the person(s) responsible for processing or for the practical management of the personal data file. The contact person is responsible for ensuring the personal data file is up to date, among other duties.

The data protection officer's role is to provide data protection expertise to those responsible for maintaining the personal data file. He/she participates in personal data processing planning, preparing and maintaining data protection and security guidelines, follows and monitors personal data processing, advises the staff and data subjects on data protection issues and contacts the supervisory authority if necessary. The data protection officer reports directly to the management of KAMK on the current state of data protection and its development needs.

The data protection group deals with serious and critical breaches in data protection and security and helps the owner of the personal data file to resolve the breach. The data protection group decides whether to request an investigation or to notify the supervisory authority in compliance with the data protection regulation as well as whether to implement internal communication measures together with the CEO/President.

Every employee is responsible for implementing data protection in his/her own work. Employees must know and master the data protection regulations and risks relevant to their own responsibilities and develop and maintain his/her data protection competence. All employees at KAMK are bound by KAMK Oy's regulations and non-disclosure and confidentiality duty, which is set out in the employment contract.

Lawfulness of processing

5.3.2018

Personal data are only processed for a specific and legitimate purpose that is determined in advance and are only processed to the extent and for as long as is necessary to accomplish the purpose. This concerns the amounts, scope of processing, storage periods and availability of the personal data. After processing, the data are destroyed, anonymized or archived appropriately.

Processing shall be lawful only if and to the extent that at least one of the following applies:

- a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;
- b) processing is necessary for the performance of a contract to which the data subject is party or to take steps at the request of the data subject prior to entering into a contract;
- c) processing is necessary for compliance with a legal obligation to which the controller is subject;
- d) processing is necessary to protect the vital interests of the data subject or of another natural person;
- e) 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;
- f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

At KAMK, particular attention is accorded to the processing of special personal data categories. The processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of 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, is prohibited. Processing such data is only permitted when a specific condition precedent mentioned in the data protection regulation is fulfilled.

Rights of the data subject

KAMK guarantees that data subjects' rights shall be fulfilled in compliance with the data protection regulation and the law. The data subjects' rights are

- right to access data ("right to check data")
- right rectification of data
- right to transfer data from one system to another (portability)
- right to erasure ("right to be forgotten")
- right to object to processing and automated individual decision-making, including profiling
- right to withdraw consent
- right to lodge a complaint with the supervisory authority

Providing information relating to personal data processing

As the controller, Kajaani University of Applied Sciences, KAMK OY shall provide information concerning personal data processing activities openly and transparently. This information shall be published in the KAMK website, Intranet pages or by other means to ensure that the information reaches the data subjects.

5.3.2018

How to proceed when a data protection breach occurs

A data protection or data security breach is a deliberate or indeliberate event or state of events in which the integrity, confidentiality or usability of data and services for which KAMK is responsible are threatened or may come under threat.

It is the responsibility of each one of us to report a suspected or observed threat or breach in data protection/data security without delay. If a data protection/data security breach is suspected or observed, the reason for the breach and its consequences and impacts on data protection shall be investigated immediately. Appropriate measures will be taken to prevent the breach from spreading. The breach shall be documented and analysed. After the situation has been resolved necessary changes and development action shall be identified.

If a data protection/data security breach occurs and it is probable that this breach will put the rights and freedoms of natural persons at risk, the data subjects and supervisory authority will be informed of the breach without undue delay.

Communication concerning data protection/data security breaches is a part of KAMK's crisis and disruption communication strategy.

Data processing monitoring and supervision

KAMK shall guarantee that the procedures, rules and instructions of good data processing practice and good data management practice will be complied with and supervised. Good data management practices will be implemented to ensure the legal protection of different parties.

Data processing monitoring and supervision is a part of KAMK's internal supervision and risk management strategy.

Validity and maintenance of the data protection policy

The Board of Kajaani University of Applied Sciences, KAMK Oy has approved this data protection policy as a binding rule. The data protection policy is in force until further notice and it will be updated as required.

The data protection policy will be published in the www.kamk.fi website the staff and students' Intranet pages.
