

Path: Home page > Main menu > Supervisory and decision-making activity Control of the processing of personal data of study applicants and students at the university (UOOU-01181/21)

Public university

The subject of the inspection was compliance with the obligations set out in the general regulation and Act No. 110/2019 Coll., on the processing of personal data, in connection with the processing of personal data in the information system of the study agenda. The controlled entity is a public university within the meaning of § 5 of Act No. 111/1998 Coll., on universities and on the amendment and addition of other laws (the Act on universities). The study agenda information system developed by this university is also used by other Czech public universities, which was one of the reasons for including the audit in the Office's audit plan. The auditors focused in particular on two specific modules of the information system in which personal data is processed of study applicants ("E-application" module) and students' personal data ("Study" module). Special categories of personal data are also processed in the sense of Article 9, Paragraph 1 of the General Regulation (data on health status). The scope of processed personal data for the implementation of the admission procedure and for the study itself is primarily determined by the relevant legal regulations. In this context, the Office points out that it is not possible to legitimately demand the provision of all personal data from the study applicant, which is to be processed only at the moment when the data subject is accepted to study at the given university and is a student thereof. The inspectors then found a violation of Article 6, Paragraph 1 of the General Regulation, as the inspected person requested and processed some personal data without the relevant legal basis (citizenship qualifier, place of birth, maiden name and marital status in the "E-application" module, place of birth in the "Study"). The inspection carried out two local investigations. One of them was separately focused on the security of processed personal data and was also attended by a forensic expert in the field of cybernetics. The auditors assessed that the audited person did not violate the obligations set forth in Article 5 paragraph 1 letter in relation to the security of personal data. f) and Article 5 paragraph 2, Article 24 paragraph 1, Article 25 paragraph 1 and 2, Article 32 of the general regulation. The audited person did not object to the inspection findings and, after the inspection, informed the Office of the steps they are taking to remedy the objectionable situation. Recommendation: The scope of the processed personal data must correspond to the established legitimate purposes and the administrators must have the appropriate legal title for the processing. Given that the controlled person is also a supplier of the study information system used by several public universities, it is all the more important that the required personal data processed in all modules of the information system meet the above conditions.

However, the Office reminds that it is always the responsibility of each individual administrator to have a proper legal basis for the processing of personal data and to process personal data only for certain, explicitly expressed and legitimate purposes.

ContextLocation: Document folders > Site map > Main menu > Supervisory and decision-making activities > Completed inspections > Inspections for the year 2021 > Inspection activities in the field of personal data protection - 2nd semester > Education > Inspection of the processing of personal data of study applicants and students at the university

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