**Basic information about the processing of personal data by the Ministry of Education, Youth and Sports**

This information is published in order to fulfil the obligation laid down in Articles 12 to 14 of the General Data Protection Regulation No. 2016/679 (hereinafter referred to as the “GDPR”). This information may be amended and specified with more detailed information published or provided for specific processing.

**1. General information about the controller and the data protection officer**

**Basic identification and contact data of the controller**

Ministry of Education, Youth and Sports

Karmelitská 529/5, 118 12 Prague 1

Company identification number: 00022985

E-mail of the filing office: posta@msmt.cz

Data box ID: vidaawt

**Contact data of the data protection officer**

Ministry of Education, Youth and Sports

Mr. Luboš Sychra

Karmelitská 529/5, 118 12 Prague 1

E-mail: gdpr@msmt.cz

**2. Information about fundamental rights of data subjects**

The data subject (i.e. a natural person whom personal data concern) has a right to request from the Ministry of Education, Youth and Sports (hereinafter referred to as the “Ministry”):

* Access to personal data that concern him or her pursuant to Article 15 of the GDPR;
* Rectification of personal data pursuant to Article 16 of the GDPR;
* Erasure of personal data pursuant to Article 17 or the GDPR; and/or
* Restriction of processing of personal data pursuant to Article 18 of the GDPR.

If processing is based on consent of the data subject or on the performance of a contract with the data subject, the data subject also has a right to request the portability of automatically processed personal data pursuant to Article 20 of the GDPR.

If processing is based on the performance of a task in public interest, exercise of public authority or performance of vested interests of the controller or a third party, the data subject has a right to object to processing pursuant to Article 21 of the GDPR.

If the data subject believes that the processing of his or her personal data by the Ministry violates the GDPR or other obligations related to the protection of personal data stipulated by legislation, he or she has a right to file a complaint with the Office for Personal Data Protection:

Office for Personal Data Protection

Pplk. Sochora 27, 170 00 Prague 7

Company identification number: 70837627

E-mail: posta@uoou.cz

Data box ID: qkbaa2n

**3. Processing of personal data for the performance of public administration tasks**

The Ministry processes personal data in order to perform tasks imposed on it by legislation or in cases when stipulated by legislation or if it is necessary to exercise rights and fulfil the Ministry’s obligations that follow from legislation. Automated decision-making within the meaning of Article 22 of the GDPR does not occur during this processing.

Processing takes place in particular in the individual domains in the scope governed by legislation stated below.

**a) The domain of education (pre-school, basic, basic arts, special, secondary, tertiary professional, institutional education)**

* Act No. 218/2000 Coll., on budgetary rules and amendment to some related Acts (the Budgetary Rules Act), as amended;
* Act No. 109/2002 Coll., on the exercise of institutional education or juvenile rehabilitation in school facilities and on preventive educational care in school facilities and amendment to some other Acts, as amended;
* Act No. 500/2004 Coll., the Code of Administrative Procedure, as amended;
* Act No. 561/2004 Coll., on pre-school, basic, secondary, tertiary professional and other education (the Education Act), as amended;
* Act No. 563/2004 Coll., on teaching staff and amendment to some other Acts, as amended;
* Act No. 179/2006 Coll., on the authentication and recognition of further education results and amendment to some other Acts (the Act on the Recognition of Further Education Results), as amended.

The domains are in particular the following: provision of subsidies, accreditation of educational institutions and educational programmes, accreditation of retraining programmes, record-keeping of issued professional qualifications certificates, record-keeping of the results of examinations taken in front of certified persons, granting and prolongation of certification pursuant to the Act on the Recognition of Further Education Results, administration of the register of schools and school facilities and school legal entities, issuing of consent with the establishment of the post of a teacher’s assistant, permitting of the tuition of certain subjects in a foreign languages and entry in a list of educational institutions that provide one-year foreign language courses, and exercise of school authority activities.

Processed data include in particular data about pupils and their statutory representatives, applicants for subsidies and their statutory bodies, school headmasters, programme guarantors, evaluators, participants in the proceedings, namely identification data (i.e. data used for unambiguous identification of an individual – name and surname, date and place of birth, birth code, nationality), address data (i.e. data used to determine the place of residence and to contact a natural person – home address or residence address, contact data) and descriptive data (i.e. further specifying data concerning the natural person and processed on statutory grounds – education, expert knowledge, employment, teaching practice, clean criminal record). In certain cases special categories of personal data are also processed (in particular about the health of children).

**b) The domain of high education and research, development and innovations**

* Act No. 111/1998 Coll., on higher education institutions and amendment to other Acts (the Higher Education Act), as amended;
* Act No. 218/2000 Coll., on budgetary rules and amendment to some related Acts (the Budgetary Rules Act), as amended;
* Act No. 130/2002 Coll., on the support of research, experimental development and innovations from public funds and amendment to some related Acts (the Act on the Support of Research, Experimental Development and Innovations), as amended;
* Act No. 500/2004 Coll., the Code of Administrative Procedure, as amended;
* Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community (2007/C 306/01).

The domains are in particular the following: the register of students, register of associate professors, professors and adjunct professors, proceedings to award the degree of associate professor, appointment of professors, appointment of rectors, keeping of Bachelor’s, diploma, dissertation and Doctoral (PhDr.) theses with deferred publication, authentication of higher education certificates, nomination to the Council of the National Accreditation Institute, register of artistic outputs, Minister’s award for outstanding students and graduates, misdemeanours, subsidies for higher education institutions, provision of special-purpose and institutional support and related domains, evaluation of research organisations, international cooperation and related domains, acknowledgement of outstanding results in research, experimental development and innovations.

Processed personal data include in particular identification data of applicants and/or statutory bodies of applicants or participants in the proceedings (name and surname, maiden name, degree, marital status, date of birth, birth code, nationality, gender in the case of foreign nationals), address data (permanent residence address, residence address in the case if foreign nationals) and other data stipulated by legal regulations.

The register of students also contains data e.g. about secondary school studies, the year when the secondary-school leaving examination was taken, data about studies at a higher education institution, enrolment date, date and mode of completion, length of studies, date of the suspension of studies, place of tuition, mode of studies, mode of financing of studies, study programme, study stays abroad, eligibility for social scholarship, and whether a student is accommodated in a hall of residence.

The register of associate professors and professors includes data about proceedings to award the degree the degree of associate professor, appointment of professors and rectors, data about the date when an employee attained higher education, data about academic degrees, scientific ranks and successfully completed proceedings to award the degree of associate professor and proceedings to be appointed professor, course of employment, establishment, change and termination of the employee’s basic industrial relation with the higher education institution or in the case of a state higher education institution with the Czech Republic, including data about the scope of work.

**c) Accreditation of study programmes of higher education institutions**

* Act No. 111/1998 Coll., on higher education institutions and amendment to other Acts (the Higher Education Act), as amended;
* Act No. 500/2004 Coll., the Code of Administrative Procedure, as amended;
* Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community (2007/C 306/01).

These domains are mainly connected with the accreditation of study programmes at higher education institutions, safeguarding of the quality of higher education and settlement of disputes.

Processed data include in particular identification data of applicants for accreditation, persons who provide for educational and creative activities at higher education institutions, evaluators, complainants, participants in the proceedings (e.g. name and surname, degrees, date of birth), their descriptive data (e.g. education, professional qualifications, employment, expert and publication activities) and address data (e.g. home address, employer’s address, contact data).

**d) The domain of Operational Programmes**

* Regulation (EU) No. 1300/2013 of the European Parliament and of the Council on the Cohesion Fund and repealing Council Regulation (EC) No. 1084/2006;
* Regulation (EU) No. 1301/2013 of the European Parliament and of the Council on the European Regional Development Fund and on specific provisions concerning the Investment for growth and jobs goal and repealing Regulation (EC) No. 1080/2006;
* Regulation (EU) No. 1303/2013 of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No. 1083/2006;
* Regulation (EU) No. 1304/2013 of the European Parliament and of the Council on the European Social Fund and repealing Council Regulation (EC) No. 1081/2006;
* Regulation (EU) No. 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No. 1698/2005;
* Act No. 218/2000 Coll., on budgetary rules and amendment to some related Acts (the Budgetary Rules Act), as amended;
* Act No. 248/2000 Coll., on the support of regional development, as amended;
* Act No. 130/2002 Coll., on the support of research, experimental development and innovations from public funds and amendment to some related Acts (the Act on the Support of Research, Experimental Development and Innovations), as amended;
* Act No. 500/2004 Coll., the Code of Administrative Procedure, as amended.

These domains are mainly related to the provision of support from European structural and investment funds for Operational Programmes where the Ministry serves as the Managing Authority.

Processed data include in particular identification data about applicants and statutory bodies of applicants, about participants and supported persons, participants in the proceedings (name and surname, degrees, date of birth and birth code, gender, education), then their contact data, data about employment (employer, terms and conditions of employment contracts) and other data (family members, military service, parental or maternity leave). In some cases special categories of personal data are also processed about supported persons (health, ethnicity).

**e) The domain of sports and the youth**

* Act No. 218/2000 Coll., on budgetary rules and amendment to some related Acts (the Budgetary Rules Act), as amended;
* Act No. 115/2001 Coll., on the support of sports, as amended;
* Act No. 179/2006 Coll., on the authentication and recognition of further education results and amendment to some other Acts (the Act on the Recognition of Further Education Results), as amended;
* Decree No. 176/2009 Coll., which stipulates the elements of an application for the accreditation of an educational programme, organisation of education in a retraining facility and the mode of its completion.

These domains include mainly subsidy proceedings in the field of sports and the youth and granting of accreditations for educational sports facilities.

Processed data include in particular data about applicants and their statutory bodies and participants in the proceedings (name and surname, post, date and place of birth, address and contact data, health, education and expert knowledge) and data about the programme guarantor (name and surname).

**f) The domain of international cooperation**

* Act No. 2/1969 Coll., on the establishment of ministries and other central state administration bodies of the Czech Republic, as amended;
* Act No. 111/1998 Coll., on higher education institutions and amendment to other Acts (the Higher Education Act), as amended;
* Act No. 18/2004 Coll., on the recognition of professional qualifications and other qualifications of some foreign state nationals and on amendment to some Acts (the Act on the Recognition of Professional Qualifications), as amended.

These domains include mainly the following: admission of foreign nationals to scholarship stays, scholarship stays abroad, sending of experts to international organisations, hosting of international conferences, open competitions for the posts of teachers, educational advisors and deputy headmasters sent to European schools, administration of an information system for the recognition of professional qualifications and record-keeping of persons who temporarily/occasionally provide services and of applicants for the recognition of professional qualifications.

The procedure within these domains executed by the Ministry also follows international treaties by which the Czech Republic is bound.

Processed personal data include in particular personal data about students, applicants, academic staff and other expert staff, namely identification data (name and surname, date of birth, citizenship, marital status, gender), address data (home and residence address, contact data) and descriptive data (qualifications and speciality). In some cases special categories of personal data are also processed (health in the case of sending on scholarship stays in certain defined territories and admission of foreign students from third countries).

**4. Processing of personal data whilst providing for the Ministry’s activities**

The Ministry processes personal data in order to perform tasks imposed on it by legislation or in cases when stipulated by legislation or if it is necessary to exercise rights and fulfil the Ministry’s obligations that follow from legislation or from treaties or if it is necessary to protect vested interests of the Ministry or third parties. Automated decision-making within the meaning of Article 22 of the GDPR does not occur during this processing.

Processing takes place in particular in the scope governed by the following legislation:

* Act No. 141/1961 Coll., the Code of Criminal Procedure, as amended;
* Act No. 133/1985 Coll., on fire protection, as amended;
* Act No. 85/1990 Coll., on the right to petition;
* Act No. 563/1991 Coll., on accounting, as amended;
* Act No. 106/1999 Coll., on free access to information, as amended;
* Act No. 218/2000 Coll., on budgetary rules and amendment to some related Acts (the Budgetary Rules Act), as amended;
* Act No. 219/2000 Coll., on the Czech Republic and its assets in legal relations, as amended;
* Act No. 320/2001 Coll., on financial audit in public administration and amendment to some Acts (the Financial Audit Act), as amended;
* Act No. 499/2004 Coll., on archives and filing service and amendment to some Acts, as amended;
* Act No. 500/2004 Coll., the Code of Administrative Procedure, as amended;
* Act No. 262/2006 Coll., the Labour Code, as amended;
* Act No. 309/2006 Coll., which governs other occupational health and safety requirements in industrial relations and on ensuring the safety and protection of health whilst performing activities or performing services outside industrial relations (the Act on Ensuring Other Occupational Health and Safety Requirements), as amended;
* Act No. 40/2009 Coll., the Criminal Code, as amended;
* Act No. 89/2012 Coll., the Civil Code, as amended;
* Act No. 255/2012 Coll., on auditing (the Audit Code), as amended;
* Act No. 181/2014 Coll., on cybersecurity and amendment to related Acts (the Cybersecurity Act), as amended;
* Act No. 134/2016 Coll., on public procurement, as amended;

The purpose of these domains is to settle petitions and disputes, requests for information, conclusion of contracts, public procurement including documentation, audit activity (including financial audit), training in the domain of security and protection of health at work and fire protection, assessment of project documentation, performance of audits, securing of the Ministry’s IT environment and related activities (user training, systems backup), account-keeping, administration of the filing service, presentation of the Ministry and activities of its representatives, organisation of the Ministry’s activities (administration of contact lists, etc.).

Processed data include in particular personal data of applicants for public tenders, contractors, contractual partners or their representatives or contact persons, the Ministry’s employees and participants in the proceedings. Administration of the filing service includes data subjects from other domains if files are kept where their data are used.

Processed personal data include in particular identification and address data.

**5. Processing of personal data in employment and similar relations**

The Ministry processes personal data in order to perform tasks imposed on in by legislation, in cases when stipulated by legislation, if it is necessary to exercise rights and fulfil the Ministry’s obligations that follow from legislation or if it is necessary to protect vested interests of the Czech Republic, the Ministry or third parties. Automated decision-making within the meaning of Article 22 of the GDPR does not occur during this processing.

Processing takes place mainly in the scope governed by the following legislation:

* Act No. 159/2006 Coll., on conflict of interests, as amended;
* Act No. 262/2006 Coll., the Labour Code, as amended;
* Act No. 234/2014 Coll., on civil service, as amended.

Processing takes place mainly for the purposes of safeguarding of open competitions, administration of the domain of service and other certificates, administration of staff records and statistics, performance of tasks in order to safeguard the protection of rights and vested interests of employees, settlement of wages, education, and record-keeping of attendance.

Certain processing (e.g. record-keeping of attendance) is based on the Ministry’s vested interest.

This processing concerns in particular employees, civil servants, job applicants or persons who wish to take the civil service examination.

Besides identification and address data, processed personal data also include also special categories of personal data (in particular data about health), then data from the Criminal Record, data about education, course of employment, military service or membership in political parties. As regards employees and civil servants, processed data also include e.g. the identity card number, driving licence number and data about their family members.

**6. Further processing of personal data**

Certain individual processing that the Ministry performs is based on consent of the data subject who has been informed or instructed in a prescribed manner prior to granting the consent.