

Appendix 2: The Processing of Personal Data of Staff of the Gerrit Rietveld Academie and Sandberg Instituut

Article 1 Scope

This Appendix develops the Gerrit Rietveld Academie and Sandberg Instituut Personal Data Regulations as regards the processing of personal data of staff of the Gerrit Rietveld Academie and Sandberg Instituut, hereinafter referred to as 'the Academie'. 'Staff' means persons employed by or working for the Academie, job applicants and ex-members of staff.

Article 2 Responsible body

The body responsible for the processing of personal data of staff is the Executive Board of the Academie.

Article 3 Internal processor/contact

The internal processor/contact for personal data of staff is:

1. the Head of Human Resources (and payroll staff and the Human Resources administrative assistant)
2. the Human Resources Adviser for the Bachelor's degree programme
3. the confidential adviser
4. the senior lecturer of a subject department
5. the Head of Operational Management in relation to workplace staff and the HR, Finance, ICT, Student Affairs and Facility Services staff departments
6. the Head of Facility Implementation in relation to the management and production of staff cards
7. the Facility Services Coordinator in relation to application management (Netpay)
8. the Head of ICT, ICT staff and facilities staff and, following on from this, the external party responsible for managing the technical aspects of the databases, application management and systems management and the external ICT Help Desk linked thereto, for which the Head of Operational Management bears ultimate responsibility.
9. Sandberg staff department members as HR contacts for Sandberg, for which the Executive Board member who is responsible for Master's degree programmes bears ultimate responsibility
10. Executive Board members as supervisors of staff department members, Bachelor's degree programme staff and Master's degree programme staff.

Article 4 External processor

The processing of personal data of staff at the Academie may be outsourced to a third party, provided the following terms are laid down in the contract:

1. The external processor must provide sufficient safeguards relating to the organisational and technical security of personal data.
2. The external processor may only process personal data on the instructions of the Academie.
3. The external processor must comply with all the security obligations upon the Academie as the body responsible for processing under the General Data Protection Regulation (*Algemene verordening gegevensbescherming, AVG*).
4. The external processor and persons acting under the authority of the external processor shall keep personal data to which they have access confidential.
5. The external processor is independently responsible, along with the Academie, for any harm or detriment occasioned to a person.
6. Agreements with the external processor on the time limit within which he must destroy personal data.

Article 5 Databases

The data will be processed automatically or otherwise and stored in databases. Personal data of staff will be processed in the following databases:

1. Personnel records
2. Payroll records
3. Financial records
4. Computer and network databases (e.g. for gaining access to ICT facilities)
5. CCTV recordings (the use of CCTV at the Rietveld Academie is laid down in a CCTV protocol)
6. Databases for archiving or document management
7. Communication databases, e.g. lists of telephone numbers and addresses of staff, job applicants and ex-members of staff
8. Databases for other internal management, e.g. staff cards.

Article 6 Persons concerned

These regulations relate to the processing of personal data of the following categories of persons:

1. Staff with:
 - a fixed-term employment contract

- a fixed-term employment contract with the prospect of a permanent employment contract
 - a permanent employment contract or flexible employment contract
2. agency workers
 3. seconded staff
 4. freelancers (self-employed workers)
 5. interns
 6. job applicants
 7. ex-members of staff.

Article 7 The purpose of processing

The processing of personal data of the person concerned shall relate solely (insofar as applicable to him/her) to:

- a. assessment of the suitability of the person concerned for a post
- b. managing the work of the person concerned
- c. dealing with personnel matters
- d. calculating, determining and paying salaries, allowances and other monies and remunerations to or for the person concerned
- e. calculating, determining and paying taxes and social security contributions for the person concerned
- f. a term of employment applicable to the person concerned
- g. calculating, determining and paying benefit entitlements in connection with the termination of an employment contract
- h. calculating, determining and paying pension or benefit entitlements in connection with early retirement
- i. the education of the person concerned
- j. corporate medical care for the person concerned
- l. the election of members of representative bodies
- m. internal auditing and corporate security
- n. implementation of a term of employment applicable to the person concerned
- o. dismissal
- q. collecting claims, including handing over those claims to a third party
- r. handling disputes and carrying out financial auditing
- t. implementing or applying laws
- u. issuing staff cards and setting up email addresses and accounts and other facilities
- v. supplying data:
 - to persons or authorities with a duty under public law or:
 - to persons or authorities to whom the institute is required statutorily or contractually to supply data.

Article 8 Data

1. No personal data on the person concerned other than the following may be processed:

- a. Surname, forenames, initials, titles, gender, date of birth, marital status, address, postcode, place of residence, telephone number, and similar data required for communication, e.g. email addresses and the bank account number of the person concerned and if necessary digitised passport photographs
- b. Data as referred to at a. on the parents, guardians or carers of staff who are minors
- c. Nationality, place of birth and country of birth
- d. An administrative number containing no underlying information other than that referred to at a.
- e. Data on study programmes, courses and internships taken and to be taken
- f. Data on the post or former post, including the nature, content, commencement and termination of the employment contract
- g. Data with a view to recording the presence of the person concerned at the place where the work is done and his/her absence in connection with leave, sustainable employability, professionalisation, childbirth or illness
- h. Data recorded in the interests of the person concerned with a view to his/her working conditions
- i. Data, including data on family members and former family members of the person concerned, required with a view to an agreed term of employment
- j. Data with a view to organising performance appraisals and career guidance, insofar as those data are known to the person concerned
- k. Data with a view to calculating, determining and paying salaries, allowances and other monies and remunerations in kind to or for the person concerned
- l. Data with a view to calculating, determining and paying taxes and social security contributions for the person concerned
- m. Data with a view to calculating, determining and paying benefit entitlements in connection with the termination of an employment contract
- n. Data with a view to calculating, determining and paying pension or benefit entitlements in connection with early retirement
- o. Data other than that referred to at a.-n. which needs to be processed as a result of e.g. changes in the organisation or amendments to statutory legislation and/or rules and regulations of the Rietveld Academie.

Article 9 How personal data are obtained

1. The personal data shall be supplied by the person concerned himself/herself, or collected, recorded in the database and kept up to date by the Human Resources Department.
2. The member of staff is responsible for the timely provision of name, address and place of residence data (and changes) and for checking that these are correct.

Article 10 Purpose limitation

In principle all types of data are processed for the aforementioned purposes.

Article 11 Access to personal data

The following shall have access to the personal data:

- a. The responsible body
- b. The data protection officer
- c. The internal processor
- e. The (external) application/systems manager

The internal processor shall by means of an authorisation grant the various officials access to certain parts of the personal data or all the personal data, as required in line with their duties.

The external application/systems manager shall by means of encryption and password protection in the system grant the various officials access to certain parts of the personal data or all the personal data, as required in line with their duties.

Article 12 Provision of data

1. As well as to persons who have access to the database, personal data shall be supplied to:
 - a. the person concerned, solely his/her own data
 - b. persons, including third parties, responsible for the activities/actions referred to in Article 7.
2. Data from databases that are traceable to identifiable persons may be supplied to organisations insofar as there is a statutory basis for this (e.g. Statistics Netherlands), and to other organisations solely with the consent of the person concerned.
3. Data from a database that are not traceable to identifiable

persons may be supplied for scientific and statistical purposes.
4. Any other provision of data shall take place solely with the consent of the person concerned.

Article 13 Transfer to countries outside the Netherlands

Transfer of personal data of staff to countries outside the Netherlands may take place e.g. for the implementation of employment contracts. This shall not take place without the consent of the person concerned.

Article 14 Data protection

The data protection officer will be informed about how data are to be protected.

Article 15 Deletion of data (retention periods)

1. All personal data of staff shall be deleted from the databases no later than two years after the termination of the employment contract or of the work, or two years after the termination of the pension or benefit entitlements in connection with early retirement or the termination of an employment contract, unless a longer period is deemed appropriate or is required under a statutory obligation.

2. Data on job applicants shall be deleted on request by the person concerned and no later than four weeks after the application procedure has ended, unless the data are retained with the consent of the person concerned for a year after the end of the application procedure.

3. CCTV recordings shall be erased no later than four weeks after the recording of the images. Images showing serious incidents may be retained for as long as is necessary for the purpose of an investigation.