

# **Students' data privacy with regard to**

## **the processing of personal data**

### 1. General Statement:

The ESA – Tournai Academy of Fine Arts collects a certain amount of personal data from students who are enrolled or are in the process of enrolling, which is processed to the extent necessary to manage their educational path within the institution and their administrative relationship with it.

Students will find the list of data processed about them by the ESA – Tournai Academy of Fine Arts and its different services in annex to this regulation.

The data mentioned above is processed in accordance with all applicable regulations, including the Privacy Act of 8 December 1992 relative to the processing of personal data and the GDPR - European General Data Protection Regulation (EU - 2016/679).

The data is processed by ESA – Tournai Academy of Fine Arts in order to fulfil the limited purposes listed in the annex.

The ESA – Tournai Academy of Fine Arts can make personal data available to the following individuals and entities:

the government authorities of the French Community of Belgium (Wallonia-Brussels Federation) in the context of the overall management of higher education (verification, funding and regularity of studies);

the Observatory of Higher Education of the French Community of Belgium (Wallonia-Brussels Federation) in the context of the collection of statistical data;

the ARES – Academy of Research and Higher Education, a public interest organisation of the B+ category (law of 1st March 1954) responsible for regulating the provision of education in the French Community of Belgium;

the AEQES – European Association for Quality Assurance in Higher Education;

All other data processing requires the unquestionable consent of the student.

The ESA – Tournai Academy of Fine Arts does not disclose any personal data to third parties without the consent of the students concerned.

By enrolling in the ESA – Tournai Academy of Fine Arts, the student accepts the terms of the present statement as well as the processing and transfer of personal data in accordance with this statement.

## 2. Persons authorised to access and use the data:

The data listed in the annex is only accessible to the administrative services of the ESA – Tournai Academy of Fine Arts and persons who are members of these services, to the strict extent necessary to carry out their mission.

All members of the administrative staff are also required to respect the confidentiality for all personal data managed by the ESA – Tournai Academy of Fine Arts.

This implies:

- the obligation not to access or seek access to data that is not strictly necessary to carry out their mission;
- a ban on the disclosure of personal data of which they are aware, other than which is necessary for the performance of their functions.

## 3. Data retention period:

Personal data is kept for an unlimited period of time for all matters related to the student's school and academic information for the purpose of:

- archiving diplomas, titles, grades, certificates, notes issued by the institution, as well as the conduct of tests, exams, etc.;
- to certify the reality of their educational path in the event of loss or destruction of the diplomas, certificates or attestation which serve as proof of it;
- to ensure the conditions for potential re-enrolment in the event of a future re-enrolment.

Data related to the status of international students in Belgium is kept only for the duration strictly necessary for processing the file of the student concerned.

The data related to the payment of registration fees is kept for ten years. That is, the statute of limitations for any debts.

Medical data is kept for the duration of the enrolment with the ESA – Tournai Academy of Fine Arts increased by a duration of two years

Social data is kept for the duration of the enrolment with the ESA – Tournai Academy of Fine Arts increased by a duration of two years.

#### 4. The rights of access and rectification afforded to the student:

Any student or former student of the ESA – Tournai Academy of Fine Arts, with proof of their identity, by addressing a letter or email signed and dated to the school's secretariat, has the right:

- to be provided, free of charge, in an intelligible form, and at the latest within 45 days of the submission of his/her request, the personal data concerning him/her processed at the ESA – Tournai Academy of Fine Arts as well as any available information as to their origin, and their actual destination;
- to obtain, free of charge, the deletion of any personal data concerning him/her;
- to obtain, free of charge, the deletion of any personal data concerning him/her which, taking into account that the processing is incompatible or irrelevant, or that the recording or conservation of which is prohibited, or which has been kept beyond the authorised time frame.

#### 5. The legal bases for processing are as follows:

- . The law of 8 December 1992 on the protection of the processing of personal data.
- . Consent of the data subject (Art 6§1 (a) of the GDPR).
- . Processing is necessary for the execution of a contract to which the data subject is a party or for the execution of pre-contractual measures taken at the latter's request (Art 6§1 (b) of the GDPR).
- . Processing is necessary to comply with a legal obligation to which the data controller is subject (Art 6§1 (c) of the GDPR).
- . Processing is necessary to safeguard the vital interests of the data subject or another natural person (Art 6§1 (d) of the GDPR).
- . Processing is necessary for the performance of a task of public interest or falling within the exercise of public authority vested in the data controller (Art 6§1 (e) of the GDPR).
- . Processing is necessary for the purposes of the legitimate interests pursued by the data controller or by a third party unless the fundamental interests or freedoms and rights of the person concerned that require the protection of data of a nature prevail, such as when the person concerned is a child (Art6§1 (f) of the GDPR).

The collection of most data is necessary for legal or contractual reasons. For other data, you have the right to withdraw your consent at any time (without compromising the legality of the consent-based processing made prior to that withdrawal).

For any question related to the protection of privacy with regard to the processing of personal data, the student is invited to send an e-mail to the following address: [DPO@tournai.be](mailto:DPO@tournai.be)

## **ANNEX 1:**

### **Personal data collected and recorded by the ESA – Tournai**

#### **Academy of Fine Arts**

The student data processing regime follows the following purposes and principles:

#### **I. GENERAL IDENTIFICATION DATA**

Name, first name, residence and/or place of residence, national register number (for Belgians), telephone number (fixed and/or mobile), e-mail, gender, date and place of birth, marital status, nationality, identity photo.

#### **Processing purpose**

This data is collected and recorded:

- to ensure the student's verifiable identification in the management of his/her file and to allow the establishment of official documents concerning him/her (diplomas, certificates, certificates, etc.);
- to ensure that the student is part of the academic community via external applications or management systems and to enable him/her to access them;
- to ensure that the ESA – Tournai Academy of Fine Arts is able to contact the student with certainty as part of his/her relationship with the school;
- to ensure the management of participatory mandates within the various bodies of the ESA – Tournai Academy of Fine Arts (Student Council, Education Board, Social Council, Programme Councils(s)).

#### **II. SPECIFIC DATA RELATED TO THE STATUS OF A STUDENT IN BELGIUM**

For students of foreign nationality or stateless persons, certain data related to their status in Belgium may have to be collected: refugee status, duration and nature of stay in Belgium, and, if applicable, the nationality and domicile of the parents.

#### **Processing purpose**

This data is collected and recorded to determine the potential specific funding regime for the student, established either under international conventions or internal legislation, as well as the amount of the registration fees that can be claimed from them.

### **III. DATA RELATED TO THE STUDENT'S SCHOOL/ACADEMIC PATH**

**1° Data related to the schooling and academic path of the student outside of the ESA :** Secondary school diploma and the establishment of the school of origin; equivalence (for students having completed their secondary studies outside Belgium); potential university and non-university higher education degrees; disciplinary decisions in higher university and non-university establishments pronouncing the final exclusion of the student; refusal to register;

**2° Data related to the student's academic path within the ESA :** registered enrolments per academic year with mention of the studies followed and the results obtained (refused, adjourned - with mention of potential legitimate reasons, satisfaction, distinction, distinction, the greatest distinction); grades, opinions from the deliberation juries.

#### **Processing purpose**

This data (1° and 2°) is collected and recorded for the management of the student's academic path, in particular:

- to ensure the student's admission, enrolment, re-enrolment and funding requirements;
- to establish official documents related to the student's path (diplomas, certificates, attestations);
- to organise teaching programmes and exam sessions;
- to establish statistics about the secondary schools from which students come;
- to enable specific library management applications to operate.

Regarding the descriptive data of theses, administrative management, institutional archiving and communication to the public.

This data (2°) can also, if necessary, be communicated, at their request, to third-party higher education establishments (Belgian or foreign) for the sole purpose of processing the registration which would be requested by the student concerned, in particular within the framework of the Erasmus + exchange programmes.

**3° Data for specific support programs for help towards success** Enrolment in

specific programs, of methodology, remediation, etc **Processing purpose**

This data is collected and recorded for the purpose of managing specific programmes to support the success and preparation of various reports imposed by the Government of the French Community of Belgium, in relation

to the support towards success --- "remediation" programmes also involved in calculating the funding granted.

#### **IV. DATA RELATED TO THE PAYMENT OF REGISTRATION FEES**

Status of the payment of registration fees, regulatory categories in relation to the amount of fees (reductions, scholarships, etc.); relief decisions, etc.; bank account number and bank statements.

##### **Processing purpose**

This data is collected and recorded to determine the amount of fees owed by the student, tracking the status of his/her payments and validating or invalidating his/her enrolment, taking into account his/her compliance with financial obligations, potentially making any possible refunds.

#### **V. MEDICAL DATA**

Results of the compulsory medical examination, additional information potentially collected by the medical services during one-off services or the spontaneous declaration of the student as part of the measures related to inclusive teaching.

##### **Processing purpose**

This data is collected and recorded by the relevant medical service for the sole purpose of establishing the student's medical record either through examinations imposed by law or regulations or as part of consultations requested by the student. This data is collected and managed by its recipients in accordance with the legal and ethical obligations specific to the management of medical data.

#### **VI. SOCIAL DATA**

Social data collected by the social services in the context of processing social support applications; potentially the bank account number and bank statements.

##### **Processing purpose**

This data is collected and recorded for the purpose of managing applications for social support made by students to social services, including,

- to ensure that the student is within the conditions provided for the granting of the requested support;
- to ensure monitoring of the file (payments, etc.).

This data is exclusively managed by the student social service in compliance with the ethical obligations imposed upon, in particular, the social workers in charge of the files.

## **ANNEX 2:**

### **Personal data collected and recorded as part of the use of the extranet network / G suite for education:**

By using their G Suite for Education accounts, students can access the "main services" offered by Google, as described at:

<https://gsuite.google.com/terms/userfeatures.html>

Google provides information about the data it collects, as well as how it uses and discloses the information it collects from G Suite for Education accounts in its G Suite for Education privacy notice. You can read this notice online at:

<https://gsuite.google.com/terms/educationprivacy.html> You must consult this document in its entirety.

When creating a student account, the Art College – Tournai Academy of Fine Arts may provide Google with certain personal information about the student: a name, email address, and password. Google may also collect personal information directly from students, such as a phone number for account recovery or a profile picture added to the G Suite for Education account.

When a student uses Google services, Google also collects information based on the use of those services. This includes:

- information about the hardware, such as the device model, operating system version, unique device identifiers, and mobile network information, including phone number;
- log information, including details of how a user used Google services, information about device events, and the user's IP address (Internet protocol);
- location information, determined by a variety of technologies, including IP address, GPS and other sensors;
- unique application numbers, such as the application version number;
- cookies or similar technologies that are used to collect and store information on a browser or device, such as preferred language and other parameters.

In the core services of G Suite for Education, Google uses student personal information to provide, maintain and protect the services. Google does not show any ads in the main services or use the personal information collected in the main services for advertising purposes.



Google will not share personal information with companies, organisations, and individuals outside of Google unless one of the following circumstances applies:

**With the consent of the student.** Google will share personal information with companies, organisations or individuals outside of Google, with the consent of the student or parents (for users under the age of consent), which may be obtained through G Suite for Education schools.

**With the ESA – Tournai Academy of Fine Arts.** G Suite for Education accounts, because they are accounts managed by the institution, allowing administrators to access the information stored there.

**For external processing.** Google may provide personal information to affiliates or other companies or people they trust to process it for Google, in accordance with Google's instructions and in accordance with the G Suite for Education privacy notice and any other privacy measures and appropriate security.

**For legal reasons.** Google will share personal information with companies, organisations, or individuals outside of Google if it believes, in good faith, that access, use, retention, or disclosure of this information is reasonably necessary to:

- comply with applicable laws, regulations, legal procedures or government requests;
- apply applicable Terms of Use, including investigating potential violations;
- detect, prevent or solve fraud, security or technical problems;
- protect against infringements of the rights, property or security of Google, Google users or the public as required or permitted by law.

Google also shares non-personal information - such as trends in the use of its services - publicly and with its partners.

**It should be noted that the use of G Suite implies the storage of data on servers which are located outside the European Union.**

If you would like to learn more about how Google collects, uses and discloses personal information to provide us with services, see the [G Suite for Education Privacy Centre](https://www.google.com/edu/trust/) (at <https://www.google.com/edu/trust/>), the [G Suite for Education's privacy notice](https://gsuite.google.com/terms/education_privacy.html) (at [https://gsuite.google.com/terms/education\\_privacy.html](https://gsuite.google.com/terms/education_privacy.html)) and [Google's privacy policy](https://www.google.com/intl/fr/policies/privacy/) (at [https://www.google.com/intl/fr/policies/privacy /](https://www.google.com/intl/fr/policies/privacy/)).

The Core G Suite for Education services are provided to us as part of the Google Apps for Education programme (at <https://www.google.com/apps/intl/fr/terms/education/terms.html>) as well as the DPA 2.0 (at <https://gsuite.google.com/terms/dpa/terms.html>)