

Privacy Policy

in line with

Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (the General Data Protection Regulation) (“GDPR”)

Definition of terms

For the purposes of this Privacy Policy:

- 1) **personal data** means any information relating to an identifiable **data subject**, i.e. a natural person who can be identified, directly or indirectly, in particular by reference to a generally applicable identifier, or to one or more characteristics or attributes that form part of that person’s physical, physiological, psychological, mental, economic, cultural or social identity;
- 2) **processing** means any operation or set of operations with personal data or sets of personal data that is performed with or without the aid of automated processes, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
- 3) **restriction of processing** means the marking of stored personal data with the aim of limiting its processing in the future;
- 4) **profiling** means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyze or predict aspects concerning that person’s performance at work, economic situation, health, personal preferences, interests, reliability, behavior, location or movements;
- 5) **pseudonymization** means the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organizational measures to ensure that the personal data is not attributed to an identified or identifiable natural person;
- 6) **filing system** means any structured set of personal data which is accessible according to specific criteria, whether centralized, decentralized or dispersed on a functional or geographical basis;
- 7) **controller** means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; in cases where the purposes and means of such processing are determined by EU law or the law of an EU Member State, the controller or the specific criteria for its nomination may be specified by EU or EU Member State law; the controller is also referred to below as the **Commission**;
- 8) **processor** means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;
- 9) **recipient** means a natural or legal person, public authority, agency or other body to which personal data is disclosed, whether this is a third party or otherwise. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with EU or EU Member State law are not regarded as recipients; the processing of this data by those public authorities must be in compliance with the applicable data protection rules according to the purposes of its processing;

- 10) **third party** means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorized to process personal data;
- 11) **consent** of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which they signify their agreement to the processing of their personal data, either through a statement or by a clear affirmative action;
- 12) **personal data breach** means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data that is transmitted, stored or otherwise processed;
- 13) **biometric data** means personal data resulting from specific technical processing relating to the physical, physiological or behavioral characteristics of a natural person, which allows or confirms the unique identification of that natural person, such as facial images or dactyloscopic data;
- 14) **data concerning health** means personal data related to the physical or mental health of a natural person, including the provision of health care services, which reveals information about their state of health;
- 15) **representative** means a natural or legal person established in the EU who, having been designated by the controller or processor in writing as per Article 27 GDPR, represents the controller or processor with regard to their respective obligations under the GDPR;
- 16) **binding rules** means the personal data protection policies which are adhered to by a controller or processor established on the territory of an EU Member State for transfers or a set of transfers of personal data to a controller or processor in one or more third countries within a group of undertakings, or group of enterprises engaged in a joint economic activity;
- 17) **supervisory authority** means an independent public authority which is established by an EU Member State as per Article 51 GDPR;
- 18) **supervisory authority concerned** means a supervisory authority which is concerned by the processing of personal data because: a) the controller or processor is established on the territory of the EU Member State of that supervisory authority; b) data subjects residing in the EU Member State of that supervisory authority are substantially affected or likely to be substantially affected by the processing; or c) a complaint has been lodged with that supervisory authority;
- 19) **cross-border processing** means processing of personal data which takes place in the context of the activities of the controller or processor in the EU, but which substantially affects or is likely to substantially affect data subjects in more than one EU Member State;
- 20) **relevant and reasoned objection** means an objection to a draft decision as to whether there is an infringement of the GDPR, or whether envisaged action in relation to the controller or processor complies with the GDPR, which clearly demonstrates the significance of the risks posed by the draft decision as regards the fundamental rights and freedoms of data subjects and, where applicable, the free flow of personal data within the EU;
- 21) **international organization** means an organization and its subordinate bodies governed by public international law, or any other body which is set up by, or on the basis of, an agreement between two or more countries.

Principles for the processing of personal data

1. Personal data must be:
 - a) processed lawfully, fairly and in a transparent manner in relation to the data subject (**lawfulness, fairness and transparency**). Processing of personal data by the Commission is lawful under the following conditions:
 - the data subject has given consent to the processing of their personal data for one or more specific purposes;
 - processing is necessary for the performance of a contract to which the data subject is a party or for the performance of pre-contractual steps taken at the data subject's request;
 - processing is necessary for compliance with a legal obligation that applies to the controller;
 - b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; however, as per Article 89(1) GDPR, further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes will not be considered to be incompatible with the original purposes (**purpose limitation**);
 - c) adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed (**data minimization**);
 - d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data which is inaccurate, in view of the purposes for which it is being processed, is erased or rectified without delay (**accuracy**);
 - e) kept in a form which permits the identification of data subjects for no longer than is necessary for the purposes for which the personal data is being processed; personal data may be stored for longer periods if it will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes as per Article 89(1) GDPR, provided that the appropriate technical and organizational measures required by the GDPR are taken to safeguard the rights and freedoms of the data subject (**storage limitation**);
 - f) processed in a manner that ensures the appropriate security of the personal data, including its protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, by means of appropriate technical or organizational measures (**integrity and confidentiality**).

Personal data necessary for the controller's activities

Personal data of staff and persons working with the controller

- Structure of personal data:
- first and last name
 - day, month and year of birth, personal (birth) ID number
 - educational attainment, qualifications, language skills, driver's license
 - contact details / home address, email, phone number
 - nationality, citizenship, marital status
 - family members (if needed for payroll purposes)
 - health, pension, life and endowment life insurance company
 - debt collection enforcement, wage garnishment, loans
 - reduced ability to work, health limitations
 - concurrent employment
- and any further information:
- in the documents required in the selection process
 - in their personal pre-employment questionnaire
 - in their previous employment confirmation form when changing jobs
 - in the documentation for contract work
 - in their personal income tax declaration
 - in their application for annual settlement of tax credits and advance payments
 - in any doctor's decision on their temporary incapacity for work
- Purpose of data processing:
- the activities of the Commission based on the Agreement between the Czech Republic and the United States of America concerning the J. William Fulbright Commission
 - compliance with the controller's legal obligations
- Scope of data processing:
- | | |
|---------------------------------|--|
| - Commission Executive Director | - all data |
| - Commission Finance Manager | - all data |
| - other Commission staff | - first and last name
- contact details |
- Lawfulness of processing:
- processing is necessary for compliance with the controller's legal obligations;
 - consent to personal data processing is given by signing:
 - the documents required in the selection process
 - the personal pre-employment questionnaire
 - the employment contract
 - the agreement on contract work
 - the personal income tax declaration
 - the application for annual settlement of tax credits and advance payments
 - the doctor's decision on temporary incapacity for work
- Validity of consent:
- as per the shredding rules for particular documents

Personal data of business partners (legal entities and natural persons)

- Structure of personal data: - name
- legal form
- contact details / registered office (place of business), email, phone number
- Company No. (Reg. No.), Tax ID No.
- contact person(s) / name, position, contact details
- bank details
- information from publicly accessible databases and registers
- and any further information: - in VAT invoices issued
- in signed contracts and agreements
- in the Info Office accounting information system
- Purpose of data processing: - the activities of the Commission based on the Agreement between the Czech Republic and the United States of America concerning the J. William Fulbright Commission
- compliance with the controller's legal obligations
- Scope of data processing: - Commission staff - all data
- Lawfulness of processing: - processing is necessary for compliance with the controller's legal obligations;
- Validity of consent: - as per the shredding rules for particular documents

Personal data of library clients

- Structure of personal data: - first and last name
- contact details / email, phone number
- Purpose of data processing: - borrowing history
- Scope of data processing: - Commission staff - all borrowing card data
- Lawfulness of processing: - consent to personal data processing is given by signing the borrowing card:
- Validity of consent: - until the borrowed item is returned

Personal data of scholarship candidates

The Commission processes the personal data entered by candidates in the online application system administered by the Institute of International Education (IIE), a non-profit organization based in the U.S.A. The Commission stores candidate data in its computer systems and in hard copy.

Structure of personal data:

- first and last name, title
- educational attainment, position, job title/classification
- field
- employer, institution
- CV/resume, project, letters of recommendation
- type of scholarship, period
- host institution, letter of invitation, contact person
- details of family members accompanying the grantee

Scope of data processing and third parties to whom data is provided during the selection processes for particular programs:

- Commission staff - all data in the application
- Commission Board members - all data in the application
- external project assessors - project, CV/resume, letters of invitation/recommendation
(for the Fulbright Visiting Scholars, Fulbright-Masaryk and Proshek-Fulbright programs)
- members of selection committees - all data in the application for the given program

Personal data of selected grantees

In addition to the data in the application, the following personal data is also processed for selected grantees:

- data concerning health (medical history)
- passport details of the grantee and accompanying persons
- details for transferring funds
(Financial Information Form - the data required by the bank to issue a check or perform a wire transfer)

Scope of data processing and third parties to whom data is provided after the selection process for particular scholarship programs for the purpose of the approval of the selected candidates:

- FFSB members (J. William Fulbright Foreign Scholarship Board) - all data in the application
- US contact persons (at the US universities which finalists specified in their application or have agreed on as universities where they wish to study/teach/conduct research) - all data in the application

After the approval process is completed, data is then provided to:

- Commission staff - all data in the application
- details for transferring funds
- IIE staff (Institute of International Education) - all data in the application
- the academic/professional community - first and last name, title
- field
- employer, institution
- type of scholarship, period
- host institution, contact person

Personal data of Fulbright alumni

After returning to the Czech Republic at the end of their stay in the U.S.A., grantees become Fulbright alumni. During and at the end of their stay, grantees are required to submit reports on their stay to the Commission. The Commission stores their entire application (in electronic form) and these reports for a period of 30 years. In their final report, grantees must state whether they wish to become a member of the Czech Fulbright Alumni Association. If yes, then their name, institution, field, the period and length of their scholarship, their host institution in the U.S.A. and the year of their stay are entered in the Alumni Directory and are accessible to all Commission staff and the Board.

Giving consent

Consent to the processing of personal data must be **freely given, specific, informed and unambiguous**.

Consent is **freely given** if it is not influenced by external pressure of such intensity that it overcomes the wishes of the person concerned to refuse consent to the use and processing of their personal data (or to withdraw their consent).

Consent is **specific** if it is absolutely clear which data it is given for – for each item of data it must be possible to clearly determine whether or not consent has been given for its processing. Similarly, it must be **possible to clearly determine** the purpose for which consent is given.

The period for which consent is given must be defined so that it is clearly understandable and unambiguous for each person giving consent. The period of consent to the processing of personal data must automatically end if the reason for consenting to processing ceases to exist.

Data subjects give their consent by:

- 1 signing the consent form for the processing of personal data
- 2 signing section 14 of the Acceptance of Award, in which the selected candidate agrees to the Terms and Conditions of Award, which specify the scope of the personal data concerned and the method of processing

Data subjects have the right to **withdraw** their consent at any time. Withdrawal of consent does not affect the lawfulness of processing based on the consent given before withdrawal. Data subjects must be informed of this fact before they give their consent. It must be as easy to withdraw consent as to give consent.