

# Information about how your data is handled

*An obligation from the General Data Protection Regulation.*

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## 1. Preliminary remarks

The following information is designed to give you an overview of how we process your personal data and your rights under data protection law.

## 2. Terminology

**Personal data:** any information which relates to an identified or identifiable person. A person is identifiable if they can be identified, directly or indirectly. This is done, for example, by assigning an identifier, such as a name, or the code number of a job advert.

## 3. Basic information

### 3.1 Who is responsible for the processing of my data?

The controller for data processing is UKM

Human resources division

Mr Andreas Uphoff

Albert-Schweitzer-Campus 1, Gebäude D5

48149 Münster

### 3.2 How can I contact you?

E-mail: [Bewerbung@ukmuenster.de](mailto:Bewerbung@ukmuenster.de)

Telephone: 0049 (0)251 - 83-53646

### 3.3 Which authority is responsible for monitoring and compliance with the data protection law?

Responsible data protection supervisory authority:

State Representative for Data Protection and Freedom of Information, North Rhine-Westphalia

PO Box 20 04 44

40102 Düsseldorf

Tel.: 0211/38424-0

### 3.4 How can I contact the data protection officer for the company?

University Hospital Münster,

Data Protection Officer

Albert-Schweitzer-Campus 1, Gebäude D5

48149 Münster

Telephone: 0049 (0)251 - 83- 49694

E-mail: [datenschutz@ukmuenster.de](mailto:datenschutz@ukmuenster.de)

## 4. Further important information

### 4.1 Why is the company processing my data?

Data processing takes place:

- to check if your knowledge and skills make you suitable for employment in our company
- to fill vacancies at UKM
- as soon as you and we have decided to begin an employment relationship, in order to be able to conduct that employment relationship

## 4.2 Why is the company allowed to process my data?

Art. 4, part 1 lit b DSGVO (GDPR) and § 26 BDSG (FDPA) expressly states that the processing of employment data is permitted. This also applies for the processing of applicant data, in the context of initiating a contractual relationship. Likewise, GDPR allows the processing of your data (=personal data), if this processing is required for a contract with you. This permission also applies to the processing of your data for the conclusion of a contract, if you have applied for a job with us.

## 4.3 Who may receive data about me?

As part of the processing, your data may be transmitted to

- People within our company, who are directly involved in data processing
- Official bodies (=public authorities), who receive your data on account of statutory provisions
- Service providers, who are bound by contract and secrecy, that provide subtasks with data processing
- External companies, if required. Examples include the postal service for delivering letters, financial institutions for processing payments to you, or insurance companies as well

## 4.4 Will you transmit data about me to countries outside the European Union?

We do not intend to do this. An exception would be conceivable if initiated by yourself.

## 4.5 How long will you store my data?

We store your data for the period during which we need it, in order to achieve the purposes outlined in 4.1 above. After the legal retention period expires, we delete any data we no longer need. After the conclusion of an application process, your data will be kept for another six months before being deleted.

# 5. What rights do I have?

## 5.1 Information on your rights

As a data subject, you have the following rights under the General Data Protection Regulation (hereinafter also referred to as “Data Subject Rights”).

## 5.2 Rights of disclosure (according to Article 15 GDPR)

You have the right to request information about whether we process personal data about you or not. If we process your personal data, you are entitled to find out:

- why we process your data (also see point 4.1)
- what types of your data we process
- which recipients receive or should receive your data (see also point 4.3)
- how long we will store your data; if it is not possible to indicate a storage duration, we must inform you how the retention period is determined (e.g. after the expiration of legal retention periods) (see also point 4.5)
- that you have the right to rectification and deletion of the data which relates to you, including the right to restrict processing and/or the possibility of objection (see also points 5.2, 5.3 and the following)
- that you have the right to lodge a complaint with a supervisory authority
- where your data comes from, if we did not collect it directly from you
- if your data will be used for an automated decision and, if this is the case, to know what logic forms the basis of the decision and what impact and implications automated decision-making can have for you
- that, if your data is shared to a country outside of the European Union, you are entitled to request information about whether this is so and, if so, based on what guarantees an adequate level of protection is ensured by the data recipient
- that you have the right, to request a copy of your personal data.

Data copies will generally be provided in electronic format.

The first copy is free-of-charge, but a fee may be requested for additional copies. A copy can only be provided as long as the rights of other persons are not negatively affected by doing this.

### 5.3 Right to rectify data (according to Article 16 GDPR)

You have the right to ask us to rectify your data if it is incorrect and/or incomplete. This right also includes the right to complete the information, through supplementary statements or communications. A rectification and/or addition must be completed without undue delay.

### 5.4 Right to delete personal data (according to Article 17 GDPR and Article 21 GDPR)

Due to your current situation, you have the right to contradict the processing of your data at any time (Article 21 GDPR and §36 BDSG). If the law is applicable to your circumstances, we will no longer process your data.

You have the right to request that we delete your personal data, if

- the personal data is no longer required for the purposes for which it was collected and processed
- the data processing takes place on the basis of your consent and you subsequently withdraw that consent. However, this does not apply if other legal permission for the data processing exists
- you have lodged an objection to the data processing, where the legal permission for this is in the so-called "legitimate interest" (according to Article 6(1)(e) or (f)). However, deletion doesn't necessary need to take place if overriding legitimate reasons for further processing exist
- you have objected to data processing for the purpose of direct marketing
- your personal data has been unlawfully processed

- it concerns the data of a child, which was gathered for information society services (=electronic service) on the basis of consent (in accordance with Article 8(1) GDPR).

The right to deletion of personal data does not exist, if

- the request for deletion obstructs the right to freedom of expression and information;
- the processing of personal data is required for
  - the fulfilment of a legal obligation (e. g. statutory retention obligations)
  - to perform public duties and interests according to applicable law (this includes “public health”) or
  - for archiving and/or research purposes
- the personal data is required to assert, exercise or defend legal rights.

The deletion must take place immediately (without undue delay). If personal data has been made public by us (e.g. on the internet), we must, as far as is technically possible and reasonable, ensure that other data processors are informed about the deletion request, including the deletion of links, copies and/or replications.

## 5.5 Right to restrict data processing (according to Article 18 GDPR)

You have the right to limit the processing of your personal data in the following cases:

- If you have challenged the accuracy of your personal data, you can request from us that the data shall not be used otherwise, and its processing is therefore restricted, while it is being checked for accuracy
- In the case of personal data being unlawfully processed, you may request a restriction of data usage instead of data deletion
- Should you need your personal data to establish, exercise or defend legal claims, but we no longer need your personal data, you may request a restriction of processing for prosecution purposes
- If you have objected to the processing of data (pursuant to Article 21(1) GDPR) (see also point 5.7), and it has not yet been made clear if our interests in processing outweigh your own, you may request that your data will not be used for other purposes, therefore restricting the processing, until this is established.

Personal data that, upon your request, is restricted for processing, may be subject to storage - only

- with your consent
- to assert, exercise or defend legal claims
- to protect the rights of other natural or legal individuals, or
- they are processed for reasons of important public interest.

If a restriction on processing is lifted, you will be notified in advance.

## 5.6 Right to data portability (according to Article 20 GDPR)

You have the right to request the information you have provided to us, in a conventional electronic format (e.g. as a PDF or Excel document).

You may also request that we transfer this data directly to another company (specified by you), as long as this is technically possible for us.

The condition for you having this right is that the processing takes place on the basis of your consent or in order to conduct a contract (see point 4.2) and is carried out with the help of automated procedures.

The exercising of the right to data portability must not negatively affect the rights and freedom of other individuals.

If you use the right to data portability, you also still have the right to data deletion according to Article 17 GDPR.

## 5.7 Ban on automated decision-making/profiling (according to Article 22 GDPR)

Decisions made by us that carry legal consequences or significantly affect you (e.g. whether we invite you to an interview), may not be based exclusively on the automated processing of personal data.

This also includes profiling. This ban does not apply, as long as automated decision-making

- is required for the conclusion or fulfilling of a contract with you
- is permitted by law, if such legislation contains reasonable measures to protect your rights and freedom, as well as your legitimate interests, or
- is made with your express consent

Decisions that are based exclusively on the automated processing of *particular categories of personal data* (=sensitive data) are only permitted if made on the basis of

- your express consent or
- there is significant public interest in the processing

and reasonable measures are taken to protect your rights and freedom, as well as your legitimate interests.

## 5.8 Exercising the rights of the persons affected

For the exercising of data subject rights, please refer to the aforementioned body (point 3.1). Requests submitted electronically are typically answered electronically. Information, notifications and measures provided in accordance with GDPR, including “the exercising of data subject rights”, are generally provided free of charge. Where requests from a data subject are manifestly unfounded or excessive, we are entitled to charge a reasonable fee or refuse to act on the request (according to Article 12(5) GDPR).

If there is reasonable doubt about your identity, we may request additional information from you for the purpose of identification. If it is not possible to identify you, we are entitled to refuse to process your request. We will, as far as possible, notify you if we are not in a position to identify you. (see Article 12(6) and Article 11 GDPR).

Requests for access and information are typically processed without delay and at the latest within one month of receipt of the request. The deadline can be extended by a further two months,

where this is required, taking into account the complexity and/or number of requests. In the event of a deadline extension, you will be notified within one month of the receipt of your request together with the reasons for delay. If we do not take action on a request, you shall be informed, without delay and at the latest within one month of receipt of the request, of the reasons for not taking action and on the possibility of lodging a complaint with a supervisory authority or seeking a judicial remedy (see Article 12(3)(4) GDPR).

Please note that you can only exercise your data subject rights within the limits and restrictions of the Union and its member states (Article 23 GDPR).

### 5.9 Do I have to provide my data?

In order to achieve the reasons set out in Point 4.1, it is necessary, partly legally and partly for the conclusion and implementation of a contract with you, for you to provide us with your personal data.

Failure to do so would make it impossible to conclude the contract.

### 5.10 Possibilities for legal protection

In the event of a complaint, you can contact the responsible supervisory authority at any time. For our company, the responsible supervisory authority is named in Point 3.

You also have the right to seek judicial remedy (according to Article 78 GDPR) against a supervisory authority. Likewise, you have the right to seek judicial remedy (according to Article 79 GDPR) against our company.