

Policy for Processing of Personal Data at Danida Fellowship Centre (DFC)



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1. Introduction

- 1.1 Everyone has the right to have their personal data protected. As responsible for data and as part of Danida Fellowship Centre (DFC)'s job and activities, DFC gathers and processes a range of personal data. It is of great importance to DFC that everyone safely can trust DFC with their personal data and that DFC always will process them according to the current legislation.
- 1.2 This policy establishes the framework for processing, storing and erasure of personal data internally at DFC. In addition, there are underlying, internal regulations for specific areas and departments at DFC.

2. Definitions

Below you find definitions of the most important personal data legal concepts:

Personal data	Any kind of information relating to an identified or identifiable natural person. This means any information which directly or indirectly, on their own, or in combination, may identify a person.
The registered	All identified or identifiable natural persons about whom DFC processes personal data.
The data controller	The natural or legal person, public authority, agency or other body which on their own, or together with others, decide to which purpose and by which means processing of personal data may occur.
The data processor	The natural or legal person, public authority, agency or other body which processes personal data on behalf of the data controller.
Processing	Any operation or set of operations that involves using personal data such as collection, recording, systematization, adaption or alteration, retrieval, alignment or combination, dissemination, or disclosing to people, authorities, companies etc. outside of DFC.
Particular categories of personal data	Information on race, ethnic origin, political, religious or philosophical beliefs or membership of unions, genetic data, health data or data about a person's sexual preferences or biometric data in situations where biometric data is processed with the sole purpose of identifying a person.

The General Data Protection Regulation	Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27 th , 2016 about protecting natural persons when processing their data and the exchange of this information and about the annulment of the 95/46/EC and its regulation.
The data protection law	The law that may be passed following the bill regarding additional provisions for regulations protecting natural persons in relation to processing personal data and free exchange of such information (General Data Protection Regulation) passed May 17 th , 2018, law number 502.
Erasing	Irrevocably erasing of personal data from all storage media so that the personal data in question cannot be reconstructed.

3. Background

- 3.1 DFC collects, processes, and saves various types of personal data. Among these, information about existing, former and current fellows, applicants for research grants, customers, suppliers, cooperation partners and business partners, current as well as previous members of staff, job applicants etc.
- 3.2 Such personal data can be found in print in a register and/or is processed electronically on servers, in databases, on computers, on internet pages, in Cloud solutions, in mail systems, in safety copies and/or on other media, including storage and processing at DFC's data processors.
- 3.3 These personal data are subjected to specific legal protection and regulation in connection with gathering, usage, passing, storage, etc. The information shall be sufficient and relevant and must not include more than what is demanded for fulfilment of those purposes where to information is gathered and treated, and the treatment shall be arranged so that the information is updating continuously in order to ensure that there is no incorrect and misleading information being processed.
- 3.4 Personal data must moreover be treated reasonably and objectively, which among other things, imply that there always has to be a legal foundation for the processing in question. The DFC's legal foundation is primarily exercise of authority and common legitimate interest. In cases where processing of data falls out of these two categories, DFC will obtain the consent of the registered person for the processing.
- 3.5 Personal data must be stored safely and only as long as necessary out of consideration for the purpose of the processing that DFC carries out. Storage and eventual erasing of personal data has to be done in agreement with the, in this policy, listed rules and procedures including specific, underlying internal rules if any such exists.
- 3.6 To ensure that the data is saved or stored no longer than necessary, deadlines are provided for the ongoing examination and/or erasing of personal data. When the information is no longer needed, they must be anonymized so that it is no longer possible to identify the registered person.

- 3.7 How long the data may be kept, depends to a large extent on DFC's organizational or business-related needs i.e. the reason for the processing including to what purpose the data are used, the reason for the processing, what they are used for, legal and regulatory requirements or possibly another practice that has been agreed upon.

4. Storage and Processing of Personal Data

- 4.1 The purpose of the processing of personal data and the legal framework for processing will vary according to which area of DFC's work or departments that carries out the processing. The same applies to how long processing and storage of personal data may continue. DFC ensures that only persons, to whom it is relevant, have access to the data.
- 4.2 Below follows a description of the general guidelines for storage of personal data as well as guidelines for storage periods that applies to the various purposes for processing based on selected organizational and business areas. The general deadlines for erasing will be kept by using automatic erasing mechanisms which are configured in the relevant IT-systems – also at DFC's data processors. Where it is not possible to apply automatic erasing mechanisms in connection with existing IT-systems at DFC or at DFC's data processors, a procedure for systematic, on-going, manual examination and erasure of personal data will be put in place.
- 4.3 As the rule, there will not be carried out any ongoing examination or erasure of personal data in all of DFC's member databases, files, documents correspondence etc. provided that the general erasure deadlines are kept using automatic erasure mechanisms or by an ongoing manual examination and removal of personal data from registers etc.
- 4.4 However, this does not apply if a registered person specifically has asked to use his/her rights to have them erased, provided that DFC is obliged to meet such demand according to the General Data Protection Regulation. In that case, a close examination will take place of the processed personal data.
- 4.5 There will often be various legal frameworks for processing of data and this must be taken into consideration before personal data are erased regardless of whether it takes place automatically or manually.

5. Processing of Personal Data in Connection with DFC's Work

5.1 Fellows

- 5.1.1 This paragraph is about processing of data concerning potential, former and current fellows.
- 5.1.2 As long as a fellow's 'case' is active, DCF stores all personal data, including a copy of the passport, CPR- number, foreigners number (Udlændingenummer), related to the fellow. DFC acquires a copy of the passport as part of its exercise of authority. A case is defined as active six months after departure from Denmark.
- 5.1.3 When purchasing flight tickets some airlines will demand documentation via a copy of the passport. In such cases, the airlines will acquire the responsibility of processing of the personal data.

- 5.1.4 DFC saves limited personal data of all fellows (full name, sex, home country, date of birth, private e-mail address, workplace (the value of the last three at the time of the fellow's study stay)), in DFC's database as these data are necessary for statistically, historic, informative and scientific purposes.
- 5.1.5 DFC can forward the above-mentioned personal data to the Ministry of Foreign Affairs (embassies), most often in connection with the establishment of an alumni-network. When this happens, it is in the light of the legitimate interests of the embassy and fellows alike.
- 5.1.6 Unsolicited fellow-applications (application + response) are saved in a separate folder in Outlook (dfc@dfcentre.dk) that is erased every half year (due date 1st January and 1st July).

5.2 Research Projects

- 5.2.1 This section concerns the processing of personal data relating to researchers who work with research projects.
- 5.2.2 As long as the application process is running, all applications including CVs are stored.
- i) A rejected Phase 1 application is erased 24 months after receipt for future reference if and when a Phase 1 re-application is submitted the following year.
 - ii) A rejected Phase 2 application is erased 12 months after receipt for future reference if and when a Phase 1 re-application is submitted the following year.
 - iii) Successful Phase 2 applications see 5.2.3.
- 5.2.3 As long as any one research project in a cluster of research projects granted within one and same fiscal year is 'active', DFC stores all personal data relating to the involved researchers. Research projects are defined as being active 6 months after submission of the Project Completion Report (PCR), concerning all the research projects of the cluster, to the Ministry of Foreign Affairs. This period can go on until 5 years after the completion of the individual research project.
- 5.2.4 DFC saves data concerning the research projects (project title, financial data, responsible research institution, project coordinator and possible financial controller with e-mail(s), partner institutions) in DFC's database, as these data are necessary for statistically, historic, informative and scientific purposes.
- 5.2.5 The same research data are available on Danida's Research Portal. Publishing of these data occur in the light of the researchers' legitimate interest.

5.3 Accounts and Bookkeeping

- 5.3.1 All Danish companies are obliged to register, store and otherwise process accounting-, tax-, bookkeeping- and other data linked to accounting and administration including adhering to the bookkeeping law. The purpose of this section is to describe those obligations that according to the legislation lie with DFC in relation to storing such data.
- 5.3.2 DFC must save accounting data for five years from the ending of the accounting year that the accounting data concerns. In this regard, DFC may keep the personal data, contained in such accounting data longer, according to other legal processing framework.

- 5.3.3 The accounting data are defined in the bookkeeping law as:
- i) registrations including the transaction trail,
 - ii) descriptions of the bookkeeping system including registration of transactions and storage of accounting data. Agreements concerning electronic data exchange signed between DFC and partners and/or suppliers are also included,
 - iii) internal and external vouchers and other documentation for the registered transactions,
 - iv) additional data that are of importance for the control trail,
 - v) accounts that according to the legislation shall be prepared, including Management Letters and Audit Reports.

5.4 Human Resources

- 5.4.1 DFC processes personal data related to potential, former and current employees at DFC.
- 5.4.2 As a starting point, personal data related to job applicants who do not get an employment or affiliation with DFC are erased six months after the deadline for the application.
- 5.4.3 As a starting point, personal data related to former employees are erased 6 years after the year of termination of the employment.

5.5 Photos

- 5.5.1 DFC takes photos and videos at all activities, projects and course programmes that DFC administrates, plans, and is involved in.
- 5.5.2 DFC uses these photos and videos as documentation for DFC's work – in order to tell the surrounding world in Denmark and abroad about it. The communication of DFC is organized in such a way that it mainly takes place via DFC's digital communication platforms. DFC also makes use of photos and videos in DFC's additional presentation and documentation materials; folders, reports, power points, video introduction at meetings etc.
- 5.5.3 DFC's use of photos and videos takes place within the limits imposed by:
- i) The law of personal data (situational photos with course participants, researchers, partners are permitted; portraits (of individuals and of groups) require a written permission).
<http://www.datatilsynet.dk/offentlig/internettet/billeder-paa-internettet/>
 - ii) Legislation about copyright
 - iii) DFC's staff policy and this Policy concerning processing of personal data.
- 5.5.4 Each time DFC takes or uses a photo or a video, DFC closely considers if there, in the given images, are elements that may seem offensive, violating, discriminating or defamatory, or anything that may cause indignation among cooperation partners or interested parties in Denmark and in countries that DFC cooperates with. DFC never uses photos that may seem indiscreet or inexpedient.
- 5.5.5 The photos and the video materials that DFC takes and uses reflect DFC's values and respect for all DFC's partners. They are of a quality and have a standard that clearly and effectively communicates DFC's work and are simultaneously contributory to present the big and branched network, and the professionalism by which DFC functions.

5.5.6 DFC aims at producing professional photos, but it is far from always possible to take and use professional photos. So, DFC is also dependent on – and glad to use photos and video material that are made available for DFC by partners; universities, ministries, embassies and course participants, researchers and educators.

5.5.7 Categories of photos and videos:

- A. Portraits/close-ups attached to person identifiable data – for instance portraits taken and used in connection with interviews where the person’s name, nationality, personal history etc. are mentioned in a way so that it will be easy to identify the person concerned. To this category also belongs person identifiable photos and video material that are provided for DFC by DFC’s partners. Employees also belong to this category.
- B. Situation- and close-up photos to which no personal history is attached.
- C. Group photos where the participants appear clearly, but are not identifiable with further data – in comparison to the point above.
- D. Overall photos where people appear who are very identifiable and where DFC does not have their names.
- E. Photos where people are blurred or, due to other circumstances, are impossible to identify because they, for instance, have their back turned to the camera.

Photos in category A are always considered as personal data, whereas those in category D and E are not. In the categories B and C, it is an individual assessment if the photo is going to be categorized as personal data. DFC’s responsibility for each individual person is increased with the possibility of recognition and identification.

Category	Authority
A – portrait, personified	Written consent
B – portrait, not personified	Oral consent
C – group photo, not personified	Oral consent
D – overall photo with very identifiable persons	Not encompassed by GDPR
E – blurry photo, people photographed from behind	Not encompassed by GDPR

5.5.8 When DFC takes photos or records videos, DFC always asks for oral consent. DFC always explains that it respects if a partner or employee does not wish to be photographed or filmed. In those circumstances, DFC ensures that the individual does not appear in neither DFC external PR-material nor in DFC’s internal photo archive or in any other place.

When DFC takes and uses portraits or does portrait-like video filming and interviews, DFC makes sure to obtain consent. This consent in the form of a ‘Release Form’ is stored with the person’s name in DFC’s archive.

6. Inspection

- 6.1 The individual areas within DFC are each responsible for establishing internal inspections, on-going monitoring and random testing to ensure that the data storage rules are respected.

7. Changes and Up-dates

- 7.1 DFC reserves the right to change this Policy. Employees at DFC are notified of any such changes by e-mail.
- 7.2 This Policy has most recently been up-dated 2nd July, 2018.