

## **Duty to inform when collecting personal data from the data subject through the use of the “Mobility Online” software**

### **1. Identity and contact details of the controller (Art 13[1] point [a] EU-GDPR)**

The controller for the purposes of the EU General Data Protection Regulation (EU-GDPR) is:

Albert-Ludwigs-Universität Freiburg  
International Office  
Friedrichstrasse 39  
79098 Freiburg, Germany

### **2. Contact details of the data protection officer (Art. 13[1] point [b] EU-GDPR)**

Datenschutzbeauftragter der Albert-Ludwigs-Universität Freiburg  
Fahnenbergplatz  
79085 Freiburg, Germany  
Email: [datenschutzbeauftragter@uni-freiburg.de](mailto:datenschutzbeauftragter@uni-freiburg.de)

### **3. Purpose of and legal basis for the processing of personal data, consequences of non-consent, erasure, and duration of storage (Art. 13[1] point [c], [2] point [a], [b] EU-GDPR)**

#### **3.1. Purpose of the processing of personal data**

The International Office processes personal data within the context of the use of “Mobility Online” only insofar as it is necessary for the preparation, implementation, and follow-up of mobility, scholarship or support measures (hereinafter: measures).

Mobility measures include, in particular, participation in the Erasmus+ education programme of the European Union, participation in the Freiburg Global Exchange and participation in mobilities within the framework of the Eucor and EPICUR networks.

Scholarship measures include, in particular, participation in the scholarship of the Landesstiftung Baden-Württemberg, the Baden-Württemberg state programmes and the Promos scholarship.

Support measures include, in particular, offers and aspects related to accommodation issues (“housing”), the Welcome Service for international guests of the university and the Welcome Days for international students.

Preparation refers to the processing of personal data prior to a measure (e.g., application, nomination). Implementation refers to the processing during the measure (e.g. amending a learning agreement) and follow-up covers the period after a measure (e.g. writing an experience report, sending learning outcomes) as well as the reporting, e.g. for the national agency German Academic Exchange Service (DAAD) and other relevant institutions.

Participants in measures may be students or researchers at the University of Freiburg (outgoing mobile participants) or at other universities (incoming mobile participants). In well-founded exceptional cases, persons who are not members of a university may participate in a measure.

The participant in a measure is the data subject as defined by the EU-GDPR within the context of the use of “Mobility Online.”

### **3.2. Legal basis for the processing of personal data**

Provided that the International Office obtains the data subject’s consent to the processing of personal data concerning him or her, point (a) of Art. 6(1) EU-GDPR serves as the legal basis. The informed consent is obtained within the context of the online application form of “Mobility Online.”

Insofar as a processing of personal data is necessary for compliance with a legal obligation to which the International Office is subject, point (c) of Art. 6(1) EU-GDPR serves as the legal basis. Legal obligations may arise among other things due to the conclusion of agreements with the national agency German Academic Exchange Service (DAAD) and other relevant institutions.

For the case that processing is necessary in order to protect the vital interests of the data subject or another natural person, point (d) of Art. 6(1) EU-GDPR serves as the legal basis. Processing takes place only if data on a contact person for emergencies are provided in the application. Vital interests may be affected, for example, in the case of an act of God (force majeure) or the issuance of a travel warning by the German Federal Foreign Office.

If processing is necessary for the purposes of the legitimate interests pursued by the International Office or by a third party and these interests are not overridden by the interests or fundamental rights and freedoms of the data subject, point (f) of Art. 6(1) EU-GDPR serves as the legal basis. Legitimate interests of the International Office are present in the use of cookies and the creation of log files within the context of “Mobility Online” (see point VI).

In general, the International Office follows the goal of implementing data privacy principles such as data minimisation and limiting the processing of personal data within the context of “Mobility Online” to what is necessary.

### **3.3. Consequences of nondisclosure and withdrawal of consent**

The participant is obligated to provide personal data within the context of processes such as application or nomination. The failure to communicate the data to the International Office or make them available has the following consequence: The preparation, implementation, and follow-up of the measure by the International Office is not possible.

If the participant withdraws his or her consent at a later point in time, the measure can no longer be supported by the International Office (see also right to object under point VII). Furthermore, withdrawal of consent may result in the partial to complete reclamation of the granted amount. The provisions of the Erasmus+ programme and other relevant scholarship programmes apply.

### **3.4. Erasure of data and duration of storage**

The data subject’s personal data will be erased or made unavailable as soon as the purpose of the storage ceases to apply. It is checked at least once per semester whether the purpose of the storage still applies, as measures generally cover one semester and shorter examination periods involve a disproportionate effort for the International Office (see also right to erasure under point VII).

Furthermore, data may be stored if this has been provided for by European or national legislators in EU regulations, laws, or other provisions to which the International Office is subject. Data will also be made unavailable or erased if a storage period prescribed by law expires, unless the further storage of the data is necessary for the conclusion or performance of a contract.

#### **4. Processed data categories**

“Mobility Online” is a standard software for the web-based administration of international educational collaborations and (exchange) programs of all kinds. Data in the following data categories are stored in this context:

##### **4.1. Applicant data**

The following personal data are stored in the application process:

- person data (e.g., last name, first name, sex, date of birth, nationality, email address, home address, address during the semester)
- application data (e.g., matriculation number, country of home institution, home institution, department/area of study, degree program/subject, level of study, number of study years completed at time of application, country of host institution/partner institution, host institution/partner institution, planned stay from–to)
- bank account information (e.g., BIC, IBAN, holder of account)
- scholarship data (e.g. amount of the total scholarship in euros, additional funding, allowance for travel expenses)

##### **4.2. Data of home institution (University of Freiburg)**

- The data of the home institution include the following:
- institution data (e.g., name of institution, additional designation of institution, Erasmus code, country, languages of instruction, type of institution);
- address data (e.g., street, country, postal code, city, email address, type of address: permanent address, student address, etc.);
- person data: Persons involved in the administration of the measures are stored as person data. This is above all the staff of the International Office and departmental representatives (e.g., last name, first name, address data [see above], function, email address);
- subjects (e.g., subject area, name of subject, subject code, ISCED code, level of study);
- partner institutions (e.g., country of partner institution, name of partner institution, type of partnership, status (active/inactive), student exchange (yes/no), trainee exchange (yes/no), teacher exchange (yes/no), staff exchange (yes/no), validity from–to);
- interinstitutional agreements (e.g., years of study, language of instruction, subject code, ISCED code, total number of persons to participate in the exchange, total duration of the planned exchange, validity from–to, status of the agreement)

##### **4.3. Data of partner institutions**

The data of the partner institutions coincide with the data already listed for the home institution under point 2.

## **5. Recipients of personal data (Art. 13[1] point [e] EU-GDPR)**

Recipients of personal data are organisations or individuals who play a crucial role in the preparation, implementation, or follow-up of a measure. This may include the following:

- host institution (e.g., partner or host institution)
- intermediary institution (e.g. Baden-Württemberg university)
- European Commission
- national agency – German Academic Exchange Service (DAAD)
- Studierendenwerk Freiburg
- departments within the university (e.g., academic departments involved in the formal recognition of the learning outcomes)
- city of Freiburg
- foreign embassies

In general, the recipients receive personal data only insofar as this is necessary for the preparation, implementation, or follow-up of a measure.

## **6. Transfer of personal data to a third country or international organisation (Art. 13[1] point [f], Art. 49[1] point [c] EU-GDPR) within the context of mobility measures**

In the absence of an adequacy decision pursuant to Art. 45(3) EU-GDPR or of appropriate safeguards pursuant to Art. 46 EU-GDPR, including binding corporate rules, a transfer or a set of transfers of personal data to a third country or an international organisation may only take place on the condition that the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the mobility participant between the University of Freiburg (International Office) and another natural or legal person.

The University of Freiburg (International Office) has concluded contracts in the form of interinstitutional agreements with legal persons in third countries, such as universities, universities of applied sciences, or other higher education institutions. The exchange of students for learning purposes constitutes the performance of the contract. The interest of the mobility participant results from the expression to the International Office of a desire to participate in a mobility measure within the context of the concluded contracts. This desire may, for example, be expressed in the form of an application. In general, the International Office transfers personal data only if and insofar as this is necessary for the preparation, implementation, and follow-up of a mobility measure.

## **7. Use of cookies and creation of log files**

### **7.1. Purpose of the processing**

Cookies are used in “Mobility Online” only to store the login status.

Log files are used in anonymised form to conduct organisational investigations, to test or maintain the web service, or to ensure network and information security.

### **7.2. Legal basis for the processing**

The legal basis for the temporary storage of the login data (cookies) and the log files is point (f) of Art. 6(1) EU-GDPR.

The system needs to temporarily store the user's IP address to enable the website to be sent to the user's computer. For this purpose, the user's IP address must be retained for the duration of the session (cookie).

The processing in the log files occurs as a means of ensuring the proper functioning of the website. In addition, the data serve to optimise the website and ensure the security of the information technology systems of "Mobility Online."

These purposes also constitute the legitimate interest in processing data in accordance with point (f) of Art. 6(1) EU-GDPR.

### **7.3. Scope of data processing**

The cookie (JSESSIONID) is required for assigning your requests to a session. When you call up "Mobility Online" web pages, your web browser sends data to the web server. The following data are logged during a running connection for communication between the web browser and the web server of Mobility Online:

- date and time of the request
- name of the requested file
- page from which the file was requested
- access status (such as "file transferred" or "file not found")
- web browser, screen resolution, and operating system used
- full IP address of the requesting computer
- amount of data transferred

### **7.4. Duration of storage**

The session cookie (JSESSIONID) is deleted at the end of the browser session. As personal data, log files are generally retained for no longer than 30 days. If data must be retained to serve as evidence, they are excluded from deletion until the incident has been conclusively resolved.

The JavaScript elements used serve the purpose of displaying and reloading dynamic information. The website can only be used to a limited extent if JavaScript is turned off.

## **8. Rights of the data subject (Art. 13[2] EU-GDPR)**

The participant in a measure is the data subject as defined by the EU-GDPR within the context of the use of "Mobility Online." The data subject has the following rights in relation to the International Office as the controller:

### **8.1. Right to information**

The data subject may request from the controller confirmation as to whether the personal data concerning him or her are being processed by "Mobility Online." If such processing is taking place, the data subject may request access to the following information from the controller:

- the purposes of the processing for which the personal data are intended;
- the categories of personal data being processed;

- the recipients or categories of recipients to whom the personal data were disclosed or might be disclosed;
- the planned period for which the personal data will be stored, or if that is not possible, the criteria used to determine that period;
- the existence of the right to obtain from the controller rectification or erasure of the personal data concerning him or her, the right to restrict the processing, or the right to object to this processing;
- the right to lodge a complaint with a supervisory authority;
- all available information on the origin of the data if the personal data were not collected from the data subject;
- the existence of automated decision-making including profiling pursuant to Art. 22(1) and (4) EU-GDPR and, at least in these cases, meaningful information on the logic involved and the consequences and the intended effects of this kind of processing for the data subject.

The data subject has the right to request information about whether the personal data concerning him or her will be transmitted to a third country or an international organisation. In this connection, the data subject may request information about the appropriate safeguards pursuant to Art. 46 EU-GDPR within the context of the transmission.

This right to information may be limited insofar as it is likely to render impossible or seriously impair the achievement of the research or statistical purposes and such limitations are necessary for the fulfilment of those purposes.

## **8.2. Right to rectification**

The data subject has the right to obtain from the controller rectification and/or completion of inaccurate or incomplete personal data concerning him or her. The controller must rectify such data without undue delay.

The right to rectification may be limited insofar as it is likely to render impossible or seriously impair the achievement of the research or statistical purposes and such limitations are necessary for the fulfilment of those purposes.

## **8.3. Right to restriction of the processing**

The data subject may request the restriction of the processing of the personal data concerning him or her under the following conditions:

- if the data subject contests the accuracy of the personal data concerning him or her for a period enabling the controller to verify the accuracy of the personal data;
- the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise, or defence of legal claims; or
- if the data subject has objected to processing pursuant to Art. 21(1) EU-GDPR pending the verification whether the legitimate grounds of the controller override those of the data subject.

If the processing of the personal data is restricted, these data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise, or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the European Union or a member state.

If the processing has been restricted pursuant to the aforementioned conditions, the data subject shall be informed by the controller before the restriction of processing is lifted.

The right to restriction may be limited insofar as it is likely to render impossible or seriously impair the achievement of the research or statistical purposes and such limitations are necessary for the fulfilment of those purposes.

#### **8.4. Right to erasure**

##### **a) Obligation to erase**

The data subject may obtain from the controller the erasure of the personal data concerning him or her without undue delay and the controller has the obligation to erase these data without undue delay where one of the following grounds applies:

- the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- the data subject objects to the processing pursuant to Art. 21(1) EU-GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Art. 21(2) EU-GDPR;
- the personal data have been unlawfully processed;
- the personal data have to be erased for compliance with a legal obligation in European Union or member state law to which the controller is subject;
- the personal data have been collected in relation to the offer of information society services referred to in Art. 8(1) EU-GDPR.

##### **b) Information to third parties**

Where the controller has made the data subject's personal data public and is obliged pursuant to Art. 17(1) EU-GDPR to erase them, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that the data subject has requested the erasure by such controllers of any links to, or copy or replication of, those personal data.

##### **c) Exceptions**

The right to erasure shall not apply to the extent that the processing is necessary:

- for exercising the right of freedom of expression and information;
- for compliance with a legal obligation which requires processing by European Union or member state law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- for reasons of public interest in the area of public health in accordance with points (h) and (i) of Art. 9(2) as well as Art. 9(3) EU-GDPR;
- for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Art. 89(1) EU-GDPR insofar as the right

- referred to in paragraph a) is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
- for the establishment, exercise, or defence of legal claims.

### **8.5. Right to notification**

If the data subject has exercised his or her right to obtain from the controller rectification or erasure of personal data or to restrict their processing, the controller has the obligation to inform all recipients to whom the personal data were disclosed of this rectification or erasure of the data or restriction of their processing, unless this proves impossible or involves disproportionate effort.

The data subject has the right to obtain from the controller notification regarding these recipients.

### **8.6. Right to data portability**

The data subject has the right to receive the personal data concerning him or her, which he or she has provided to the controller, in a structured, commonly used, and machine-readable format.

Furthermore, the data subject has the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, where:

- the processing is based on consent pursuant to point (a) of Art. 6(1) EU-GDPR or point (a) of Art. 9(2) EU-GDPR or on a contract pursuant to point (b) of Art. 6(1) EU-GDPR; and
- the processing is carried out by automated means.

In exercising this right, the data subject also has the right to have the personal data transmitted directly from one controller to another, where technically feasible. The rights and freedoms of others must not be adversely affected as a result.

The right to data portability does not apply to the processing of personal data necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

### **8.7. Right to object**

The data subject has the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her which is based on point (e) or (f) of Art. 6(1) EU-GDPR, including profiling based on those provisions. The controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights, and freedoms of the data subject or for the establishment, exercise, or defence of legal claims.

The data subject has the possibility, in the context of the use of information society services, and notwithstanding Directive 2002/58/EC, to exercise his or her right to object by automated means using technical specifications. Furthermore, the data subject has the right, on grounds relating to his or her particular situation, to object to the processing of personal data concerning



him or her for scientific or historical research purposes or statistical purposes pursuant to Art. 89(1) EU-GDPR.

The data subject's right to object may be limited insofar as it is likely to render impossible or seriously impair the achievement of the research or statistical purposes and such limitations are necessary for the fulfilment of those purposes.

#### **8.8. Right to lodge a complaint with a supervisory authority**

Without prejudice to any other administrative or judicial remedy, the data subject has the right to lodge a complaint with a supervisory authority, in particular in the member state of his or her habitual residence, place of work, or place of the alleged infringement if the data subject considers that the processing of personal data relating to him or her infringes the EU-GDPR.

The supervisory authority with which the complaint has been lodged informs the complainant on the progress and the outcome of the complaint including the possibility of a judicial remedy pursuant to Art. 78 EU-GDPR.

#### **Further information**

For information on overall responsibility, the relevant supervisory authority, VAT identification number, general bank account information, and disclaimers of liability for original content, cross-references, and links, please consult the central [Imprint of the University of Freiburg](#).