

Privacy Statement for Adult Training Programs

1. INTRODUCTION

The Data Controller respects your individual rights and has therefore prepared the following Privacy Statement, which is also available on the official website of the Data Controller.

1.1 Personal scope of the Privacy Statement (Data Subjects)

This Privacy Statement applies to all natural persons whose data are processed by the Data Controller in connection with the implementation of development programs covered by the Adult Education Act.

1.2 Subject matter

This Privacy Statement covers the vast majority of the Data Controller's processing activities in relation to the given subject matter, however, the Data Controller reserves the right to issue separate privacy notices for a smaller number of data subjects in specific cases.

2. DATA CONTROLLER

Data Controller: Flow Consulting Kft.

headquarter: 1146 Budapest, Zichy Géza u. 5.

e-mail: flow@flow.hu

phone: +36-1-422-1714

company registration number: 01-09-861492

Adult education registration number is: B/2020/000182

Adult education license number is: E/2021/000086

represented by: Gyimesi Gábor Péter

VAT: 11929750-2-42

data protection contact person: Koncz Ildikó

data protection contact e-mail: adatvedelem@flow.hu

(hereinafter referred to as the "Data Controller")

3. LEGISLATION, PRINCIPLES

3.1 In the course of data processing, the Data Controller is bound by the following legislation

- **GDPR (General Data Protection Regulation)** - 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 Regulation (EC) No 95/46/EC)
- **Data Protection Act** - Act CXII of 2011 on the Right to Informational Self-Determination and Freedom of Information and the implementing legislation
- Act V of 2013 on the Civil Code;
- Act CL of 2017 on the Rules of Taxation and implementing legislation;
- Act C of 2000 on Accounting and implementing legislation;
- **Act LXXVII of 2013 on Adult Education, Government Decree 11/2020 (II. 7.)** on the implementation of the Adult Education Act.

3.2 We follow the following principles during data processing

- Personal data shall be processed by the Data Controller only for the purposes and for the period specified herein. The Data Controller shall only process personal data that is necessary for the purpose of the processing and is suitable for the achievement of that purpose.
- Personal data obtained by the Data Controller in the course of processing may only be disclosed to persons acting on behalf of the Data Controller or in an employment relationship with the Data Controller who have a task in relation to the processing.

4. DEFINITIONS

"personal data": any information relating to a natural person (data subject) (e.g. name, number, location data, online identifier or data concerning the physical, physiological, genetic, mental, economic, cultural or social identity of a natural person);

"sensitive data" means personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade-union membership, genetic data and biometric data revealing the identity of natural persons, health data and personal data concerning the sex life or sexual orientation of natural persons;

"health data" means personal data relating to the physical or mental health of a natural person, including data relating to the provision of health services to a natural person which contains information about the health of the natural person;

"data subject" means an identifiable natural person to whom the personal data relates (e.g. a participant of the adult training, a website visitor, a newsletter subscriber, a job applicant)

"data processing" means any operation or set of operations which is performed upon personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

"controller" means a natural or legal person, public authority, agency or any other body which, alone or jointly with others, determines the purposes and means of the processing of personal data;

"processing" means the performance of technical tasks related to processing operations;

"processor" means a natural or legal person, public authority, agency or any other body which processes personal data on behalf of the controller (on the controller's behalf, on the controller's instructions and at the controller's choice);

"profiling" means any form of automated processing of personal data whereby personal data are used to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict characteristics associated with that person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements;

"360-degree survey": data on the behaviour and personality traits of a natural person, provided by him or her or by persons asked to assess him or her;

"third party": a natural or legal person, public authority, agency or any other body other than the data subject, the controller, the processor or the persons who, under the direct authority of the controller or processor, are authorised to process personal data;

"data subject's consent" means a freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she signifies, by a statement or by an act expressing his or her unambiguous consent, that he or she signifies his or her agreement to the processing of personal data concerning him or her;

5. DATA PROCESSING ACTIVITIES

5.1 Personal data of participants in adult learning programs

Description of data processing: in the performance of a contract concluded between the Data Controller and another legal person, it is usually necessary to process personal data of employees or authorised representatives, subcontractors

of the contracting party (company, other organisation) in order to perform the contract. The personal data are either provided to us by your employer (contractor) or obtained directly from you by us because you have taken or are taking part in training under the Adult Education Act.

Purpose of processing: to comply with a legal obligation, to perform a contract between a legal person or a natural person and a legal person, or, in the case of an activity carried out by the Controller, to protect the security interests of the Controller.

Legal basis for processing:

The legal basis is the performance of a legal obligation, if we have received your data from your employer or client (legitimate interest of the Controller, Article 6(1)(c) GDPR). Please note that you can object to such processing at any time, in which case we will consult with your employer (client) and decide whether to accept or reject the objection on the basis of the consultation. In the event of refusal, you have the right of appeal, see section 6.9.

Categories of personal data processed: name, birth name, mother's name, place and date of birth, gender, nationality, address of residence and place of stay, e-mail address, telephone number, title of residence in Hungary of a non-Hungarian citizen and the name and number of the document or document entitling the participant to residence, the participant's social security number, tax identification number, the participant's educational identification number, the labour market status, data related to the training relationship, which are related to the educational and vocational qualifications, language skills, admission to training, assessment and qualification of the trainee, the name of the qualification or other competence acquired through training, the place, date and result of the examination.

Duration of processing:

- In the case of legal obligations: the Data Controller is obliged to keep your personal data for five years under the Adult Education Act, up to 7 years for data to be kept until the statute of limitations for tax purposes and up to 8 years for data necessary to fulfil accounting obligations.

To object to data processing, please send an email to adatvedelem@flow.hu.

6. YOUR RIGHTS

You have the following rights in relation to data processing.

If you wish to exercise your rights, please contact us using one of the contact details below:

1146 Budapest Zichy Géza str. 5.

e-mail address: adatvedelem@flow.hu

Identification

In all cases, we will need to identify you before we can fulfil your request. If we cannot identify you, we will unfortunately not be able to fulfil your request.

Reply to the request

After identification, we will provide you with information about your request in writing, electronically or, at your request, orally. Please note that if you have submitted your request electronically, we will respond electronically. You will of course have the option to request another method in this case.

Deadline for taking action

We will inform you of the action taken on your request within 1 (one) month of receiving it at the latest. If necessary, and taking into account the complexity of the request and the number of requests, this time limit may be extended by a further 2 (two) months, and you will be informed within the 1 month time limit.

We are also obliged to inform you of any failure to take action within the one-month time limit. You can lodge a complaint with the NAIH and exercise your right to a judicial remedy.

The administration fee

The information and action requested is free of charge. An exception is made where the request is manifestly unfounded or excessive, in particular because of its repetitive nature. In this case, we may charge a fee or refuse to comply with the request.

6.1 You may withdraw your consent

Where processing is based on your consent, you may withdraw your consent at any time (Article 7 GDPR). In such a case, we will without undue delay after receipt of the notification to do so, process your personal data in relation to that processing.

6.2 Request information (access)

You can request information on whether your personal data is being processed (Article 15 GDPR) and if so:

- ✓ What is the purpose?
- ✓ What exactly is the data being processed?
- ✓ To whom are these data transferred?
- ✓ How long do we store this data?
- ✓ What are your rights and remedies in this regard?
- ✓ Who gave us your data?
- ✓ Do we make automated decisions about you using your personal data? In such cases, you can also request information about the logic (method) we use and the relevance and likely consequences of such processing.

- ✓ If you have found that your data has been transferred to an international organisation or a third country (non-EU country), you can ask us to explain how we guarantee the fair processing of your personal data.
- ✓ You can request a copy of the personal data we process. (We may charge a fee for additional copies based on administrative costs.)

6.3 You can request a correction

You can ask us to correct or complete personal data that we have recorded about you that is inaccurate or incomplete (Article 16 GDPR).

6.4 You may request the deletion of your personal data

You can ask us to delete your personal data (Article 17 GDPR) if:

- The personal data is no longer necessary for the purposes for which it was processed;
- When the processing is based solely on your consent;
- When it is established that we are unlawfully processing your personal data for the purposes for which we have only used it;
- Where it is no longer necessary for the purposes for which the personal data was collected;

We **may not delete** personal data if it is necessary:

- to exercise the right to freedom of expression and information;
- to comply with an obligation under Union or Member State law that requires the controller to process personal data, or in the public interest;
- in the public interest in the field of public health
- for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, where deletion would be likely to render impossible or seriously impair such processing; or
- for the establishment, exercise or defence of legal claims.

6.5 You may request that we restrict the processing

You can ask us to restrict processing (Article 18 GDPR) if one of the following conditions is met:

- You contest the accuracy of the personal data, in which case the restriction applies for the period of time that allows us to verify the accuracy of the personal data
The processing is unlawful, but you oppose the erasure of the data and instead request the restriction of their use;
- We no longer need the personal data for the purposes of the processing, but you require them for the establishment, exercise or defence of legal claims;
- You have objected to the processing; in this case, the restriction applies for a period of time until it is established whether the legitimate grounds of the Controller prevail over your legitimate grounds.

In the case of restriction, personal data may be processed, except for storage, only with your 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 important public interests of the Union or of a Member State.

You will be informed in advance of any lifting of the restriction.

6.6 You may request that we disclose your personal data (right to data portability)

You have the right to receive your personal data processed by us in a machine-readable format (Article 20 GDPR) and the right to have those data transferred to another controller - or to have them transferred at your request - where the processing is based solely on your consent or on a contract with or on behalf of you and is carried out by automated means.

That right shall not apply where the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller. It shall not infringe the right to erasure or adversely affect the rights and freedoms of others.

6.7 You may object to the processing of your personal data

You may object to the processing of your personal data (Article 21 GDPR) if:

- The processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, including profiling based on that public interest;
- Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, including profiling based thereon;

In the above cases, personal data will be erased unless the processing is justified by compelling legitimate grounds which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

You may also object to the processing of your personal data if:

- The data is processed for direct marketing purposes (in which case you can also object to profiling); In this case, the personal data will be deleted
- The processing of personal data is carried out for scientific and historical research purposes or statistical purposes. In this case, the personal data will be deleted unless the processing is necessary for the performance of a task carried out for reasons of public interest.

6.8 Rights relating to automated decision-making, including profiling

You have the right not to be subject to a decision based solely on automated processing, including profiling (Article 22 GDPR), which produces legal effects concerning you or similarly significantly affects you.

The above does not apply if the decision:

- is necessary for the conclusion or performance of a contract with you;
- is permitted under EU or Member State law which also lays down appropriate measures to protect your rights and freedoms and legitimate interests;
- or is based on your explicit consent.

Even in these cases, except where required by law, you can still express your views and object to the decision.

6.9 Remedies

6.9.1 You can complain to the NAIH

If you believe that the processing of personal data concerning you is in breach of the provisions of the Data Protection Regulation, you have the right to lodge a complaint with the National Authority for Data Protection and Information Security (NAIH).

president: dr. Péterfalvi Attila
postal address: 1363 Budapest, Pf.: 9.
address: 1055 Budapest, Falk Miksa utca 9-11.
phone: +36 (1) 391-1400
Fax: +36 (1) 391-1410
web: <http://naih.hu>
e-mail: ugyfelszolgalat@naih.hu

6.9.2 You can go to court

If you believe that the processing of your personal data is in breach of the provisions of the Data Protection Regulation and that your rights under the Data Protection Regulation have been infringed, you have the right to take legal action.

A court of law will have jurisdiction to hear the case. The lawsuit may also be brought before the courts of the place of residence or domicile of the data subject, at the data subject's choice. A person who does not otherwise have legal capacity to sue may also be a party to the lawsuit. The Authority may intervene in the proceedings in order to ensure that the person concerned is successful.

In addition to the provisions of the Data Protection Regulation, the court proceedings shall be governed by the provisions of Act V of 2013 on the Civil Code, Book II, Part Three, Title XII (§ 2:51 - § 2:54) and other legal provisions applicable to court proceedings.

6.9.3 Compensation and damages

If the Data Controller causes damage or infringes the personal rights of the data subject by unlawfully processing the data subject's data, the Data Controller may be liable to pay compensation. The controller shall be exempted from liability for

the damage caused and from the obligation to pay the damage fee if it proves that the damage or the infringement of the data subject's personality rights was caused by an unforeseeable cause outside the scope of the processing.

7. DATA SECURITY

We will make every effort to implement appropriate technical and organisational measures to ensure a level of data security appropriate to the level of risk, taking into account the state of the art, the cost of implementation, the nature of the processing and the risks to the rights and freedoms of natural persons.

Personal data will always be treated confidentially, with limited access, encryption and to the maximum extent possible resilience, ensuring recoverability in the event of a problem. Our systems are regularly tested to guarantee security.

In determining the appropriate level of security, we take into account the risks arising from the processing, in particular from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of or access to personal data transmitted, stored or otherwise processed.

We will take all reasonable steps to ensure that persons acting under our control who have access to personal data are only allowed to process that data in accordance with our instructions, unless they are required to do otherwise by EU or Member State law.

8. DATA PROCESSORS

A For each processing operation, we use the following data processors:

Activity	Company (Processor)	Headquarter
Server / website operator	Neucom Kft.	1171 Budapest, Czimra Gyula utca 14.
Accounting company	Maxaldo Kft.	1145 Budapest, Szugló u. 9-15.
Surveys Suppliers	Art of Progress Fejlesztési Központ Kft.	6600 Szentes, Temető utca 17.
	Psidium Onlinetesztek Kft.	2030 Érd, Ürmös u. 46-48.