



Privacy Notice for Prospective Students

A privacy notice for those starting an enrolment process with the Academy that complies with Data Protection Legislation. This notice serves to notify prospective students about the personal data that GIOYA HEI holds relating to them, how they can expect their personal data to be used and for what purposes. This notice is superseded once a prospective is accepted as a student.



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Contents

<u>1. The Purpose of this Document</u>	4	
<u>2. Definition of personal data</u>	4	
<u>3. The Relation of this notice with other information which is regulated by data protection legislation.</u>		4
<u>4. Information about who will process your personal information</u>	5	
<u>5. Types of Personal Data we will process</u>	5	
<u>6. Why do we process your personal data in line with data protection legislation?</u>	6	
<u>7. Purposes for processing you Personal Data</u>	6	
<u>8. Special Category of Data</u>	7	
<u>9. How and when we share your Personal Data</u>	Error! Bookmark not defined.	
<u>10. Transferring information outside the EU</u>	9	
<u>11. Data Security</u>	9	
<u>12. Personal Data Retention</u>	9	
<u>13. Your Rights</u>	10	
<u>14. Data Protection Lead</u>	11	
<u>15. Changes to this Privacy Notice?</u>	11	



1. The Purpose of this Document

GIOYA HEI (referred to as the “Academy”, “we”, “us” or “our” in this privacy notice) is committed to protect the privacy and security of the data of all prospective students and also those who apply to enrol into one of our study programmes.

This document is intended to show how we intend to use the personal information about the aforementioned applicants and prospective students (referred to as “you”, “your” in this privacy notice) after you submit your application to join one or more of our programmes and during the pursuit of your studies with us, in compliance with the Data Protection Legislation. This policy also informs you about how we use personal information starting from when you make your first enquiries about our study programmes.

This policy applies to ALL persons who show interest or apply to join any of the Academy’s study programmes.

In accordance with GDPR legislation the Academy is a ‘Data Controller’. This implies that we are responsible in deciding about collection, use and storage of your personal information. This policy is in compliance with data protection laws which require us to keep you informed of the data we hold about you.

You are required to read this notice and any other notices we may issue in the due course of your studies so that you will be aware of when and why we are collecting and processing personal information about you.

2. Definition of personal data

Any information which identifies you as an individual is regarded as personal data, even when such data does not refer explicitly to you (Example: instances where your name has been deliberately hidden) but which when combined with other data which is readily available, makes it easy to imply direct reference to you.

3. The Relation of this notice with other information which is regulated by data protection legislation

This privacy notice is intended to cover the term of time spanning between the date when you first enquire about the programme/s you are interested in, passing through the time you apply and ends when you finally become a student by signing the Student Contract.

You may refer to the Student Privacy Notice (made available to all acknowledged students) to become better informed on the way we process student’s personal data. You may also receive notifications from us informing you about which types of information you have chosen to receive from us.



4. Information about who will process your personal information

You will find an explanation about methods the Academy uses to process and store your personal information in this notice. This also applies from the moment you make your first enquiry about the programmes we offer up until signing your Student Contract.

5. Types of Personal Data we will process

In order to reply to your enquiry and acknowledge you as an eligible student, the academy must collect, process and store certain personal data about you. This data includes information relevant to the enrolment process and setting of payment terms. For this reason, this mainly happens when dealing with your enquiry or when commencing your enrolment to one of our study programmes. Typically, these are the main examples of information we will require at this stage to complete your query and eventual application:

- 5.1 Basic yet personal contact details - name, surname, residential address, contact information including phone numbers and email addresses.
- 5.2 Date of birth
- 5.3 Name of the Study Programme/s you have applied for.
- 5.4 Academic and employment history, including additional details such as the names of the institutions where you have studied, your current and past workplaces if any. In the case of academic history, we will also require grades and assessments obtained in the course of your studies.
- 5.5 Copies of identification documents such as passport, travel visas and study permit where applicable.
- 5.6 Copy of your education certificates
- 5.7 When necessary, reference letters from past or current employers.
- 5.8 In case of mature student applications, we will process your interview notes.



6. Why do we process your personal data in line with data protection legislation?

In line with data protection legislation, we only use and process your personal data when we have a valid condition and reason to do so. We will process your personal data subject to your explicit consent in the stage before you submit your application or sign the Student Contract. Unless you deny your consent, we reserve the right to keep you informed about other study programmes which might be of interest to you.

After you submit your application to join one or more of our study programmes, we will process and use your personal information for the following reasons:

- 6.1 to fulfil our contractual obligations with you, including the preparation of your Student Contract document.
- 6.2 To fulfil our legal obligations
- 6.3 To pursue our legitimate and commercial interests and those of our partners involved in the study programme of your choice. This may include keeping you informed of any promotions launched by the Academy.

You are required to submit any information we ask you for during the application process so that we may be enabled to appraise and determine your eligibility to apply for your chosen study programme.

In the circumstance where we may need to use your personal information (including your image and other personal data which might be sensitive) for any other use we will inform you and explain our legitimate reasons and will only collect such data when the time is appropriate. Your consent may be withdrawn at any time. We are committed NOT to process your personal data for automated decision-making purposes which might affect you personally.

7. Purposes for processing your Personal Data

- 7.1 To identify you
- 7.2 To provide you with information related to your study programme and keeping track of the status of your application.
- 7.3 To inform you further about your enquiry to join one of our study programmes both by physical and electronic mail. When this information is not deemed necessary to process your application, you may opt out from receiving such information when it is not deemed necessary to your application.



7.4 To process any application for accommodation if needed.

7.5 To verify any information you provided us with.

7.6 To decide your eligibility to join your chosen study programme and communicate our decision to you and our reasons for the said decision.

7.7 To conduct an evaluation of payment terms

We also reserve the right to process or disclose any of your provided information in the following circumstances in case where such circumstances are in the statutory or public interest.

7.8 to prevent or detect fraud

7.9 to provide statutory returns required by applicable legislation

7.10 for research and statistical purposes. In this case however no personal information which would lead to your identification will be disclosed or published.

8. Special Category of Data

Special Category of data refers to information about you which may be or racial or ethnic origin, religious or philosophical belief, political inclination, membership in a trade union, personal health and sexual orientation and habit, genetic and biometric data. It may also include information about your criminal record or any subsequent conviction. This data will be processed only to identify a person. The definition of Special Category data arises from General Data Protection Regulations legislation itself. The same legislation requires that such data be processed using higher levels of protection. For this reason, we need more validation to be able to collect, process and store such personal data.

These are the circumstances where we are permitted or required by law to process such data:

8.1 In very limited circumstances and always with your explicit written consent.

8.2 To fulfil our legal obligations in line with our privacy standard.

8.3 Subject to strict confidentiality, we will use special category information to determine your capacity to work on health grounds.



8.4 When we need this information to reply to legal claims or to protect your interests and those of others in the event where you are incapable of giving your consent or where this data has already been disclosed by you publicly.

Your special category information will be used by us in the following ways:

8.5 We will use your ethnicity or national origin to report to the relevant authorities which govern our operations (including for monitoring purposes conducted by the Malta Further and Higher Education Authority)

8.6 When you decide to disclose information about your physical condition or disability status, we will use this information to provide you with additional services to better suit your needs if and when requested by you.

9. How and when we share your Personal Data

Your personal data will be shared with the relevant academic staff in order to deal with your enquiry, process your application and preparing your Student Contract. We shall also share your personal data with the following or in the following circumstances:

9.1 The person or entity making your referral

9.2 Your school/college or training organisation only when relevant or required and as notified to you.

9.3 The boards examining your work and awarding board.

9.4 Where international applicants are concerned, we share personal information the referring agency, local authorities as well as the relevant Maltese embassy, Visas and Immigration authorities and to third party student accommodation providers operating with the Academy.

9.5 To meet our legal obligations towards governmental bodies and local authorities

9.6 To other companies who provide services to or are agents to the academy.

9.7 To any other relevant professional or statutory regulatory bodies.



10. Transferring information outside the EU

None of your personal information collected about you is shared to any country outside the European Union.

11. Data Security

We make use of the most operate the correct security measures to prevent your personal data from being lost, accessed, used, altered or disclosed by unauthorised persons or entities. Access to your personal information is limited to our personnel, contractors, agents and other third parties who may have a legitimate or business interest to know. These will only process your personal data following our instructions, bound by confidentiality.

Similarly, we have procedures in place in order to tackle any data security breach suspicion. In such event, you will be notified of such breach and where applicable and legally required, you will also be notified of any applicable regulator.

12. Personal Data Retention

In compliance with data privacy legislation your personal data will be retained by us only for the period required to fulfil the purpose of such data collection and storage. This includes reasons which satisfy legal, accounting and reporting requirements.

The amount, nature and sensitivity of personal data determines the ideal amount of time required to store your personal data. We also consider any potential risk of harm arising from unauthorised disclosure and use of your personal information. Data storage time also depends on the purpose for which we are processing your data and if such processing may be achieved by other methods. We also retain data in compliance with legal requirements for as long as such requirements impose such retention.

We may make your personal information anonymous in certain circumstances in such a way that this data may no longer be associated with yourself. In these cases, we are not bound to inform you about such use.



13. Your Rights

The Law provides you with the following rights under the following circumstances:

- The right to place a 'data subject request' which enables you to request and receive a copy of all the personal information we hold about you and for you to ascertain that we are processing it within parameters set by relevant legislation.
- The right to request that any incorrect or incomplete personal information we hold about you is rectified.
- The right to request that we erase your personal information if and when there is no valid reason to continue processing and storing it. Where you have exercised your right to object to have us processing your information, you also have a right to ask us to delete or remove your personal information.
- The right to object to us processing your personal information based on our own legitimate interest (or that of a third party) when your particular situation forces you to make such objection. You also have the right to object to having us process your personal information when such processing is intended for marketing purposes.
- The right to request that we suspend processing your personal information when you want to ascertain that such personal information is correct or to make sure of the reasons why we are processing it.
- You have the right to request that we transfer your personal information to a third party.

You need to contact the Academy's Data Protection Lead when you want to review, correct or request that we erase your personal information, or else when you want to object to us processing your data on the grounds laid above, or when you want us to transfer your personal data to a third party. The Academy's Data Protection Lead must be contacted in writing.

We do not usually charge fees for such a request; however, we may charge a reasonable amount in cases where your request for access is clearly unfounded or in excess of reasonable motive. We may alternatively refuse to comply with your request in such circumstances.

When such requests are made, we may need certain specific information from you in order to ascertain your identity and your rights to access the information and exercise any other rights. We request this information in order to further safeguard your personal information and to ensure that such information is not accessed by unauthorised persons.

The accuracy and current status of your personal information is of utmost importance. For this reason, you are obliged to keep us updated of any changes to your personal information during your period of a working or study relationship with us.



14. Data Protection Lead

As an Academy, we have a Data Protection Lead to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the Data Protection Lead.

Name: Alex Cristescu
Address: The Hub Workspace E305
Triq San Andrija,
San Gwann SGN 1612

Email address: info@gioya.edu.mt

You have the right to make a complaint at any time to any supervisory authority. The supervisory authority in Malta is the Office of the Information and Data Protection Commissioner.

Name: Information and Data Protection Commissioner (IDPC)
Address: Level 2, Airways House, High Street, Sliema
Email: idpc.info@idpc.org.mt
Website: <https://idpc.org.mt/en/Pages/contact/complaints.aspx>
Landline: 2328 7100

We would, however, appreciate the chance to deal with your concerns before you approach the IDPC so please contact the Data Protection Lead on any of the above contact details in the first instance.

15. Changes to this Privacy Notice?

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact the Company's Data Protection Lead.