



**ORDER  
OF THE DIRECTOR  
OF THE CENTRE FOR QUALITY ASSESSMENT IN HIGHER EDUCATION  
ON THE APPROVAL OF THE PROCEDURE FOR THE EXERCISE OF DATA  
SUBJECTS' RIGHTS AND HANDLING OF DATA SUBJECTS' ENQUIRIES IN THE  
CENTRE FOR QUALITY ASSESSMENT IN HIGHER EDUCATION**

24 May 2018 No. V-34  
Vilnius

1. Following 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 Directive 95/46/EC (General Data Protection Regulation) (hereinafter referred to as the 'Regulation'),

I a p p r o v e the Procedure for the Exercise of Data Subjects' Rights and Handling of Data Subjects' Enquiries in the Centre for Quality Assessment in Higher Education.

2. I establish that this order shall take effect as of 25 May 2018.

Deputy Director,  
Acting Director

Aurelija Valeikienė

APPROVED BY  
Order No. V-34 of 24 May 2018  
of the Director of the Centre for  
Quality Assessment in Higher  
Education

## **PROCEDURE FOR THE EXERCISE OF DATA SUBJECTS' RIGHTS AND HANDLING OF DATA SUBJECTS' ENQUIRIES IN THE CENTRE FOR QUALITY ASSESSMENT IN HIGHER EDUCATION**

### **CHAPTER I GENERAL PROVISIONS**

1. The Procedure for the Exercise of Data Subjects' Rights and Handling of Data Subjects' Enquiries in the Centre for Quality Assessment in Higher Education (hereinafter referred to as the 'Procedure') shall regulate the procedure for the submission and examination of data subjects' requests with regard to exercise of their rights, established in 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 Directive 95/46/EC (General Data Protection Regulation) (hereinafter referred to as the 'Regulation'), in the Centre for Quality Assessment in Higher Education (hereinafter referred to as the 'Centre'), as well as the procedure for the submission of consents to the processing of personal data and the procedure for handling of data subjects' enquiries not related to the exercise of data subjects' rights.

2. The terms used in the Procedure shall be interpreted as they are defined in the Regulation and implementing legislation.

3. The Procedure shall apply to all data subjects, including former and current civil servants and contract staff of the Centre (hereinafter referred to as the 'Employees').

4. The Centre shall process the following data subjects' personal data in structured manual files and/or by automated means:

4.1. personal data of the applicants of the Centre who apply for academic recognition of the qualifications acquired abroad, establishment of equivalents of modules and grades conversion (name, surname, former name, surname (if changed), gender, date of birth, nationality, e-mail address, telephone number, place of residence address, title of qualification, name of a training (higher education) institution, state in which qualification has been acquired, actual place of training (studies), mode and way of training (studies), start and end dates of training (studies), purpose for recognition (to study, work or other), previous and subsequent education (if acquired), the authorised person's name, surname, document copy, signature, copy of an identity document, copies of an education document and its supplement; personal data of the representatives of the applicants of the Centre (employers and higher education institutions) who apply for guidance on recognition of education acquired abroad and of persons with regard to whom these applicants apply (name, surname, telephone number, e-mail address, signature of the representative of a higher education institution/employer, name, surname, date of birth of a person with regard to whom the applicant applies, title of qualification, duration of training, the country of origin of qualification, name of a training institution, information on chosen studies in a Lithuanian higher education institution, copies of an education document and its supplement), the purpose of processing whereof is provided for in the Description of the Procedure for Recognition of Education and Qualifications concerning Higher Education and Acquired under Educational Programmes of Foreign States and International Organisations, approved by Resolution No. 212 "On the approval of the Description of the Procedure for Recognition of Education and Qualifications concerning Higher Education and Acquired under Educational Programmes of Foreign States and International Organisations" of 29 February 2012 of the Government of the Republic of Lithuania, and in the Description of the

Procedure for the Competition of Graduates of Foreign Institutions or Educational Programmes of International Organisations for Admission to State-funded Student Places at Higher Education Institutions, approved by Order No. V-9 “On the approval of the Description of the Procedure for the Competition of Graduates of Foreign Institutions or Educational Programmes of International Organisations for Admission to State-funded Student Places at Higher Education Institutions” of 4 January 2017 of the Minister of Education and Science;

4.2. personal data of experts invited for external reviews of study quality by the Centre and members of advisory bodies (name, surname, academic degree/title, telephone number, e-mail address, scientific interests, list of scientific works, address, education, professional experience, project activities, language proficiency level, photographs) and personal data of representatives of higher education institutions who apply to the Centre with regard to the external review of study quality (name, surname, academic degree/title, e-mail address, telephone number, position, education, professional experience, scientific interests, list of scientific works, project activities, language proficiency level), the purpose of processing whereof is provided for in subparagraph 3 of Article 42(1), Article 48, Article 49 of the Republic of Lithuania Law on Higher Education and Research, the Description of the Procedure for the Issuance, Specification and Withdrawal of Licences to Provide Higher Education and to Conduct Relevant Activities, approved by Resolution No. 149 of 1 March 2017 of the Government of the Republic of Lithuania (version of Resolution No. 642 of 26 July 2017 of the Government of the Republic of Lithuania), the Description of the Procedure for the External Review and Accreditation of Study Programmes, approved by Order No. V-1652 “On the approval of the Description of the Procedure for the External Review and Accreditation of Study Programmes” of 24 July 2009 of the Minister of Education and Science, the Methodology for Evaluation of Higher Education Study Programmes, approved by Order No. 1-01-162 “On the approval of the Methodology for Evaluation of Higher Education Study Programmes” of 20 December 2010 of the Director of the Centre, the Methodology for Drafting the Description of a New Study Programme, Its External Review and Accreditation, approved by Order No. 1-01-157 “On the approval of the Methodology for Drafting the Description of a New Study Programme, Its External Review and Accreditation” of 28 November 2011 of the Director of the Centre, the Experts Selection Procedure, approved by Order No. 1-41 “On the approval of the Experts Selection Procedure” of 14 August 2015 of the Director of the Centre;

4.3. personal data of persons who have subscribed to the Centre’s newsletters (name, surname, e-mail address), which are provided by persons themselves and the purpose of processing whereof is public awareness raising about the Centre’s activities;

4.4. personal data of the participants in projects implemented by the Centre (name, surname, year of birth, e-mail address, telephone number, gender, participant’s status in the labour market, education, belonging to socially vulnerable groups, residence locality, workplace, signature), the purpose of processing whereof is administration of project activities and fulfilment of duties of the Centre as the project implementer;

4.5. personal data of former and current Employees (name, surname, personal identification number, personal social security number, nationality, address, telephone number, e-mail address, CV and description of activities, signature, marital status, duties, data on employment/relocation/dismissal, data on education and qualifications, data on training, data on the leave, data on the remuneration, severance payments, compensations, allowances, information on accomplished working hours, information on incentives and penalties, information on works and tasks performed, data on career development of a civil servant, number, date of issue, date of expiry, issuing authority of the passport or personal identity card of the citizen of the Republic of Lithuania, special categories of data related to health, conviction, participation in the activities of a banned organisation, registration date and number of documents, as well as other personal data provided by the person himself or herself and/or those data that the Centre is obliged to process by laws and other legal acts), which are processed for the purposes of internal administration (human resources management, administration of employment and service relations, document filing, utilisation of material and financial resources);

4.6. personal data of candidates to the positions of a civil servant and an employee of the Centre (name, surname, personal identification number, nationality, address, telephone number, e-mail address, position claimed, CV and description of activities, signature, data on education and qualifications, special categories of data related to conviction, participation in the activities of a banned organisation, a digital audio record of the interview with the candidate to the position of a civil servant, registration date and number of documents, as well as other personal data provided by the person himself or herself and/or those data that the Centre is obliged to process by laws and other legal acts), which are processed for the purposes of internal administration (human resources management, document filing, utilisation of material and financial resources).

5. Personal data controller is the Centre, legal entity code: 111959192, head office address: A. Goštauto g. 12, Vilnius.

6. The Centre has designated a data protection officer (hereinafter referred to as the 'Officer'), whose contact e-mail address is [dap@skvc.lt](mailto:dap@skvc.lt). The Officer shall be a contact person for communication with data subjects.

## **CHAPTER II**

### **DATA SUBJECTS' RIGHTS AND THE PROCEDURE FOR SUBMITTING REQUESTS WITH REGARD TO THE EXERCISE OF THESE RIGHTS**

7. Data subjects shall have the following rights established in the Regulation:

7.1. the right to know (be informed) about the processing of their personal data by the Centre (Articles 13, 14 of the Regulation);

7.2. the right to access their personal data processed by the Centre (Article 15 of the Regulation);

7.3. the right to request rectification of their personal data processed by the Centre (Article 16 of the Regulation);

7.4. the right to request erasure of their personal data processed by the Centre (Article 17 of the Regulation);

7.5. the right to request restriction of processing of their personal data where the processing does not comply with the provisions of the Regulation and other legal acts (Article 18 of the Regulation);

7.6. the right to data portability (Article 20 of the Regulation);

7.7. the right to object to the processing of their personal data (Article 21 of the Regulation).

8. Information related to the exercise of data subjects' rights shall be provided to data subjects in a concise, transparent, intelligible and easily accessible form, using clear and plain language.

9. Seeking to exercise their rights specified in Point 7 of the Procedure, data subjects shall submit a written request (hereinafter referred to as the 'Request') to the Centre personally, by post, by courier services or by means of electronic communications. If the Request is submitted by means of electronic communications, it shall be sent to the e-mail address [dap@skvc.lt](mailto:dap@skvc.lt) or to the general e-mail address of the Centre [skvc@skvc.lt](mailto:skvc@skvc.lt). If the Request has been received to the general e-mail address or submitted to the Centre personally, by post or by courier services, the Request shall be registered and stored in the Centre's document management system (DMS) and shall be forwarded to the Officer for examination. A commission may be formed for the examination of the Request, depending on its nature and complexity, by the order of the Director of the Centre.

10. The Request shall be legible, signed by the data subject and contain the following details: the data subject's name, surname, place of residence, contact phone number, e-mail address, information on which of the rights specified in Point 7 of this Procedure and to what extent the data subject requests to exercise, as well as the way in which the data subject wishes to receive the response.

11. When submitting the Request, the data subject must prove his or her identity:

11.1. if the Request is submitted to the Centre personally – by providing a personal identity document;

11.2. if the Request is submitted by post or by courier services – by providing a copy of a personal identity document certified in accordance with the procedure established by legal acts;

11.3. if the Request is submitted by means of electronic communications – by signing it with an electronic signature in compliance the requirements of the Republic of Lithuania Law on Electronic Identification and Trust Services for Electronic Transactions.

12. The data subject shall exercise his or her rights in the Centre personally or through a representative.

13. If the data subject's representative applies to the Centre on behalf of the represented data subject, he or she shall indicate in the Request the following details: the representative's name, surname, place of residence, contact phone number, e-mail address, as well as the represented person's name, surname, place of residence, information on which of the rights specified in Point 7 of this Procedure and to what extent the representative requests to exercise, and shall enclose a document certifying representation or a copy of a representation document certified in accordance with the procedure established by laws. The Request submitted by the representative shall comply with the requirements specified in Points 9–11 of this Procedure.

14. If personal data are processed on the basis of the data subject's consent, before starting to process the data subject's personal data, the Centre shall provide a consent form to the data subject to sign (Annex 1 to the Procedure). With regard to the specific characteristics of the concrete activity, in respect whereof the data subject's consent is given, the Centre shall have the right to provide a more detailed consent form to the data subject to sign. If personal data are to be processed for different purposes, the data subject shall be provided with an opportunity to give consent for individual purposes. The consent may be withdrawn at any time having submitted to the Centre a free-form request in the manner specified in Points 9 and 12 of the Procedure, which shall be legible, signed by the data subject and shall contain the following details: the data subject's name, surname, place of residence, contact phone number, e-mail address, and having proved the data subject's identity.

### **CHAPTER III**

#### **PROCEDURE FOR THE EXAMINATION OF DATA SUBJECTS' REQUESTS REGARDING THE EXERCISE OF DATA SUBJECTS' RIGHTS AND HANDLING OF DATA SUBJECTS' ENQUIRIES**

15. Having received the data subject's Request with regard to the rights specified in Point 7 of the Procedure, the Centre must examine it and, in the way indicated in the data subject's Request, provide a reasoned response, irrespective of whether or not the Request is to be satisfied, no later than within 1 month from the date of receipt of the Request (the period of examination of the Request may be extended for 2 months, yet the data subject shall be informed of the extended Request examination period and the reasons for extension no later than within 1 month from the date of receipt of the Request). If the data subject's Request is not to be satisfied, the procedure of appeal against the Centre's decision shall be indicated.

16. The Centre shall have the right to refuse to provide information requested by the data subject, if the data subject's Request is unfounded or disproportionate.

17. The data subjects' right specified in Point 7.1 of the Procedure shall be exercised by presenting information to data subjects on the processing of their personal data on the Centre's website at [www.skvc.lt](http://www.skvc.lt), under "Personal Data Protection" in section "Legislation", also during communication with the data subject in the same way as the data subject applies to the Centre.

18. Having received the data subject's Request with regard to the exercise of the right specified in Point 7.1 of the Procedure, the Centre must provide the data subject with information specified in Article 13(1) and (2) of the Regulation. Where personal data of the data subject have been received from third persons, the Centre shall provide the data subject with information specified in Article 14(1) and (2) of the Regulation.

19. The Centre shall have the right to refuse to exercise the data subject's right specified in Point 7.1 of the Procedure or provide partial information requested by the data subject, if:

19.1. the data subject already has this information (including cases where information is made public) (in this case the data subject shall be provided with references to sources in which this information is presented);

19.2. the provision of information requested by the data subject proves impossible or would involve disproportionate costs of the Centre;

19.3. obtaining or disclosure of personal data is expressly laid down by the legislation of the European Union or of the Republic of Lithuania, which provides appropriate measures to protect the data subjects' legitimate interests;

19.4. the personal data must remain confidential subject to an obligation of professional secrecy regulated by the legislation of the European Union or of the Republic of Lithuania.

20. Having received the data subject's Request with regard to the exercise of the right specified in Point 7.2 of the Procedure, the Centre must give confirmation to the data subject as to whether personal data concerning him or her are being processed, and, where that is the case, the response to the data subject shall contain information as to the purpose of processing of personal data, the categories of personal data, the recipients or categories of recipient to whom the data have been or will be disclosed, where possible, the envisaged period for which the personal data will be stored, and, where the personal data are not collected from the data subject, any information as to their source. The response to the data subject shall also contain information as to the data subject's right to request rectification or erasure of personal data or restriction of processing of personal data or to object to such processing, as well as the right to lodge a complaint with a supervisory authority (where these rights apply). If the data subject requests, he or she shall be provided with copies of the personal data undergoing processing.

21. If it is determined during collection of information required to prepare a response to the Request specified in Point 20 of the Procedure that:

21.1. the Centre processes a considerable amount of information related to the data subject and there is no possibility to provide the data subject with all information, the Centre shall have the right to ask the data subject to specify the submitted Request;

21.2. certain information on the data subject is also related to other persons, the data subject shall be provided with information to the extent that other persons' rights are not infringed.

22. If the data subject determines that the Centre processes inaccurate or incomplete personal data concerning him or her, the data subject shall have the right to apply to the Centre with regard to the exercise of the right specified in Point 7.3 of the Procedure.

23. Having received the Request specified in Point 22 of the Procedure, the Centre shall immediately verify the personal data of the data subject who has submitted the Request with regard to the circumstances indicated in the Request. Having established that the Request is founded, the Centre shall immediately rectify incomplete or inaccurate personal data. Where it is not possible to immediately rectify incomplete or inaccurate personal data, the Centre shall suspend the processing of data subject's personal data and shall store these personal data until they are rectified. The Centre shall inform the data subject and data recipients (if the data subject's personal data have been provided to data recipients) about rectification of the data subject's personal data. Data recipients shall not be informed if it is impossible to provide such information or if this requires disproportionate costs (due to a considerable number of data subjects, period of storage of personal data, etc.).

24. The data subject shall have the right to submit the Request with regard to the exercise of the right specified in Point 7.4 of the Procedure, where one of the following grounds applies:

24.1. the purpose for which personal data are collected has been achieved;

24.2. the data subject withdraws consent on which the processing of personal data is based and where there is no other legal ground for the processing of the data subject's personal data;

24.3. the data subject objects to the processing of personal data pursuant to Article 21(1) of the Regulation and there are no overriding legitimate grounds for the processing of personal data;

24.4. the personal data have been unlawfully processed;

24.5. the personal data have to be erased for compliance with a legal obligation specified in the legislation of the European Union or of the Republic of Lithuania.

25. The data subject's Request shall provide detailed arguments for reasons to erase his or her personal data by indicating in the Request at least one of the grounds specified in Point 24 of the Procedure.

26. The right specified in Point 7.4 of the Procedure shall not be exercised where the processing of personal data is based on:

26.1. compliance with the requirements established in the legislation of the European Union and of the Republic of Lithuania;

26.2. archiving purposes in the public interest;

26.3. establishment, exercise or defence of legal interests.

27. Having received the data subject's Request specified in Point 24 of the Procedure, the Centre shall immediately evaluate the content of the Request in order to determine whether the data subject's Request is founded. If the Centre determines that the data subject's Request is founded, the Centre shall erase the personal data concerning the data subject, and if there is no possibility to erase these data, suspend the processing of the data subject's personal data. The Centre shall inform the data subject and data recipients (if the data subject's personal data have been provided to data recipients) about erasure of the data subject's personal data. Data recipients shall not be informed if it is impossible to provide such information or if this requires disproportionate costs (due to a considerable number of data subjects, period of storage of personal data).

28. The data subject shall have the right to submit the Request with regard to the exercise of the right specified in Point 7.5 of the Procedure to the Centre, where one of the following grounds applies:

28.1. the accuracy of the personal data processed by the Centre is contested by the data subject. In this case the processing of the data subject's personal data may be restricted for the period enabling the Centre to verify the accuracy of the personal data;

28.2. it is established that the processing of the data subject's personal data is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;

28.3. the purpose of processing of the personal data has been achieved and the Centre no longer needs the subject's personal data collected for this purpose, but they are required by the data subject for the establishment, exercise or defence of legal claims;

28.4. the data subject submits the Request to the Centre, whereby he or she objects to the processing of his or her personal data by the Centre. In this case the processing of the data subject's personal data may be restricted for the period enabling the Centre to verify whether this data subject's Request is founded;

28.5. the data subject submits the Request to erase his or her personal data processed by the Centre and it is established that the Request is founded, yet immediate erasure of the data subject's personal data is not technically feasible. In this case processing of the data subject's personal data may be restricted until the data subject's personal data are erased.

29. Having received the data subject's Request specified in Point 28 of the Procedure, the Centre shall immediately evaluate the Request in order to determine whether it is founded. If it is established that the data subject's Request is founded, the Centre shall restrict the processing of the data subject's personal data. The Centre shall inform the data subject and data recipients (if the data subject's personal data have been provided to data recipients) about restriction of the processing of the data subject's personal data. Data recipients shall not be informed if it is impossible to provide such information or if this requires disproportionate costs (due to a considerable number of data subjects, period of storage of personal data). Where a decision is made to lift the restriction of processing of the data subject's personal data, the Centre shall inform the data subject in writing before the restriction of processing is lifted.

30. The data subject shall have the right to submit the Request with regard to the exercise of the right specified in Point 7.5 of the Procedure, where all of the following conditions apply:

30.1. the processing of the data subject's personal data is based on:

- 30.1.1. the data subject's consent or
- 30.1.2. a contract concluded between the Centre and the data subject;
- 30.2. the processing of personal data is carried out by automated means;
- 30.3. the data subject has provided his or her personal data, planned to be transmitted to another controller, to the Centre personally or through a representative;
- 30.4. the data subject has provided personal data in a structured, commonly used and machine-readable format.

31. Having received the Request specified in Point 30 of the Procedure, the Centre shall immediately evaluate the Request in order to determine whether the data subject's Request is founded. If it is established that the Request is founded, the information requested by the data subject may be provided to the data subject or another controller, if the data subject requests so and where it is technically feasible to transmit personal data directly to another controller.

32. If the data subject's Request is satisfied in the case where the data subject's personal data are transferred to another controller, the Centre shall not assess whether a controller to whom the data subject's personal data will be transferred has a legal basis for obtaining the data subject's personal data and whether this controller will ensure adequate personal data protection measures. The Centre shall not assume liability for the further processing of transferred personal data by another controller.

33. If the Centre processes the data subject's personal data for the purposes of legitimate interests of the Centre, the data subject shall have the right to apply to the Centre with regard to the exercise of the right specified in Point 7.7 of the Procedure. The data subject shall substantiate his or her request by indicating the specific reasons for objection related to the data subject.

34. Having received the Request specified in Point 33 of the Procedure, the Centre shall immediately evaluate the Request in order to determine whether the data subject's Request is founded. If it is established that the data subject's Request is founded, the Centre shall inform the data subject that his or her Request will be executed. If it is established that the data subject's Request is unfounded, the Centre shall provide a reasoned response stating that the data subject's personal data are processed on founded and legitimate grounds that override the data subject's interests.

35. The data subject shall have the right to appeal against the Centre's acts (omission) to the State Data Protection Inspectorate in accordance with the procedure established in Article 77 of the Regulation, Section 3 of the Law on Legal Protection of Personal Data and by the State Data Protection Inspectorate.

36. When exercising data subjects' rights, the Centre must ensure that other persons' rights are not infringed.

37. Data subjects' requests that are not related to the exercise of the data subjects' rights shall be handled in accordance with the procedure and terms established in the Law on Public Administration and the Rules for the Examination of Requests and Complaints and for the Service of Individuals in Public Administration Entities, approved by the Government of the Republic of Lithuania.

#### **CHAPTER IV PROVISION OF DATA SUBJECTS' PERSONAL DATA TO THIRD PERSONS**

38. Data subjects' personal data shall be provided to third persons only in cases and in accordance with the procedure established in laws and other legal acts of the Republic of Lithuania.

#### **CHAPTER V FINAL PROVISIONS**

39. Data subjects' rights shall be exercised in the Centre free of charge.

40. Information on personal data processing to data subjects shall be provided on the Centre's website at [www.skvc.lt](http://www.skvc.lt), under "Personal Data Protection" in section "Legislation".



Annex 1  
to the Procedure for the Exercise of Data Subjects' Rights  
and Handling of Data Subjects' Enquiries in the  
Centre for Quality Assessment in Higher Education

\_\_\_\_\_  
*Data subject's name, surname*

Contact phone number, e-mail: \_\_\_\_\_  
Residence address: \_\_\_\_\_

To: The Centre for Quality Assessment in Higher Education

**CONSENT  
REGARDING THE PROCESSING OF PERSONAL DATA**

I hereby give consent to the Centre for Quality Assessment in Higher Education (hereinafter referred to as the 'Centre') (legal entity code: 111959192, address: A. Goštauto g. 12, Vilnius, e-mail: [skvc@skvc.lt](mailto:skvc@skvc.lt), data protection officer's e-mail: [dap@skvc.lt](mailto:dap@skvc.lt)) to collect, use, store and erase my personal data

for the purpose of \_\_\_\_\_ *description of the purpose of the processing of data* for the period of \_\_\_\_\_ *period during which data will be used* and allow the Centre to transfer my data for use for the above purpose to

\_\_\_\_\_ *name of the data recipient, legal details, if required* while the Centre ensures that the data are processed in compliance with the legal requirements of the European Union and of the Republic of Lithuania.

I have provided the data to the Centre autonomously.

I have been informed that I have the right to know (be informed) about the processing of my personal data in the Centre, access my personal data processed in the Centre and know how they are processed, the right to request rectification, erasure of my personal data or suspension of processing, except for storing, of my personal data where the processing of the data does not comply with the provisions of legal acts, the right to data portability, the right to object to the processing of my personal data, and the right to withdraw this consent and request erasure of my data.

This consent has been given in free will and may be withdrawn at any time having submitted a free-form request to the Centre.

\_\_\_\_\_, \_\_\_\_\_.\_\_\_\_\_.\_\_\_\_\_.  
*Place, date*

\_\_\_\_\_  
*[Natural person's name, surname]*