

## PROCEDURE TO SATISFY THE EXERCISE OF DATA SUBJECT RIGHTS

**Owner: Data Protection Officer**

**Approved by: Director of Administration and Finance  
Campus Director**

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## **PREAMBLE**

The new regulatory framework for the protection of personal data (General Data Protection Regulation or GDPR for short), "places" the rights of natural persons at the center of any processing and requires Controllers to process personal data with transparency and accountability.

Therefore, the regulatory framework provides the data subjects with the ability to exercise a variety of rights in relation to the processing of their personal data. It should be noted that the data subjects of a higher education institution may be undergraduate students, postgraduate students, prospective postgraduate students, University graduates, research associates, professors, University staff and employees or any other natural person that Neapolis University processes its personal data, in order to fulfill its purposes.

The said procedure concerns every request to Neapolis University from data subjects referring to the exercise of their rights under the GDPR.

### **A. Data subjects rights according to the GDPR.**

Natural persons rights under the Regulation, and which Neapolis University is required to manage, having the role of controller, are as follows:

*i. **The Right to be informed***

Data subjects have the right to be informed about the collection and processing of their personal data. The principles of fair and transparent processing require that the data subject be informed of the existence of the processing act and its purposes. Thus, data subjects are entitled, among other things, to be informed of the details of the controller, the categories of their personal data that are being processed, the purpose and legal basis of each processing, the retention periods, the potential recipients or categories of recipients, etc. Furthermore, the principle of transparency requires that any information addressed to the public or to the data subject be concise, easily accessible and easy to understand, and use clear and simple wording and, where appropriate, illustration.

*ii. **The Right of access***

Data subjects have the right to ask confirmation whether their personal data are processed by the University, and if that is happening, a copy of the said data and the rest, provided by the GDPR, additional information. The right of access helps natural persons to understand how and why their data are being used by the University, as well as to check that the processing is carried out legally.

iii. ***The Right to rectification***

Data subjects have the right to request the rectification of their data, when the data are inaccurate or to update their data when the data are incomplete.

iv. ***The Right to erasure***

Data subjects have the right to request the erasure of their data if they do not longer wish their data being processed.

This right is not absolute and only applies under certain conditions.

v. ***The Right to restrict processing***

Data subjects have the right to request the restriction of the processing of their data when there is a specific reason, i.e. the accuracy of the data is questioned, the processing is illegal, the data is no longer needed by the controller, when the subject has objections to the automated processing. This right is an alternative to the right to erasure and the right of objection, and that it may be exercised jointly with the right of rectification or objection. It is noted that the right to restrict processing is not absolute and only applies under certain conditions.

vi. ***The Right to data portability***

Data subjects have the right to request to receive the personal data that they have provided to the University in order to reuse them for their own purposes to other authorities and organizations. The said right enables the data subjects to easily transfer, copy and move their personal data from one IT environment to another in a safe and secure way, without affecting its usability. The right to data portability may be exercised in order to either transfer the data of the subject from the University or to it, provided that, as always, the conditions required by the GDPR are met.

vii. ***The Right to object***

Data subjects have the right to object at any time to the processing of their personal data in certain circumstances.

Individuals have an absolute right to stop their data being used for direct marketing.

viii. ***Rights in relation to automated decision making and profiling.***

Data subjects have the right to object when a decision that concerns them is solely based on automated decision including profiling, and this decision has legal or similarly significant effects on them.

RIGHTS	GDPR ARTICLE
Right to be informed	12-14
Right of access	15
Right to rectification	16,19
Right to erasure	17,19
Right to restrict processing	18, 19
Right to data portability	20
Right to object	21
Rights in relation to automated decision making and profiling	22

For the effective management of these requests, the cooperation and coordination of all the involved Units of the University is required (i.e. Office Registry, Department of Administration, Data Protection Officer, Legal Advisor, IT Department), as well as third parties (i.e. service providers, suppliers, external partners, etc.) that process personal data on behalf of the University.

## **B. Information to be provided**

Upon request, the Controller should be able to provide information to the data subject as to whether or not his or her personal data are being processed.

If so, the data subject may have access to the personal data relating to it and can be informed of the following:

- 1) The categories of personal data that are subject to processing,
- 2) The purposes of processing,
- 3) Recipients or categories of recipients to whom personal data is disclosed or will be disclosed, and especially recipients in third countries or international organizations, including appropriate data transfer guarantees (ie binding corporate rules, standard data protection clauses issued or approved by the European Commission, by a supervisory authority and are approved by the Commission, an approved certification mechanism or code of ethics, etc.)
- 4) Where possible, the period for which personal data is stored or, if this is not possible, the criteria used to determine that time period,
- 5) The existence of the rights provided to the data subjects under the applicable law, for example the right (i) to request rectification, (ii) to request erasure, (iii) to request the restriction of the processing of personal data concerning them or (iv) to oppose such processing

- 6) The right to file complaints with the supervisory authority
- 7) When personal data are not collected directly from the data subject, the source from which that data was collected from,
- 8) The existence of automated decision-making, including profiling and every important information on the logic followed, as well as the importance and intended consequences of this processing for the data subject.

### **C. Data Subject Request Form and Reply**

The data subject that wants to proceed with a request shall be provided with the *Data Subject Request Form*, in order to ensure that the necessary information for the processing of the request is received. Any data subject request made in another form may be accepted by the University if it includes the required information in accordance with applicable law and the policies of the University.

The University reserves the right to refuse to respond to a request, which does not provide sufficient details regarding the nature of the information requested. In this case, the data subject must be notified within the response period, for the need to submit additional information.

The reply should be written in a clear and simple way, address to all the questions raised by the data subject and provide, as far as possible, the requested information.

Indefinite or incomplete answers can lead to inaccuracies and misinterpretations and should therefore be avoided. Each data subject request must be recorded in a file, the '*Data Subject Request Register*' which will be stored both in electronic and printed form in a specially designed and locked cabinet in the DPO office.

### **D. Charges**

The information and copies of personal data subject to processing are provided free of charge.

If the data subject requests additional copies of his personal data subject to processing or if the data subject's request is unsubstantiated or excessive, especially because of its recurring nature, the University reserves the right to refuse to act upon the request or to request a reasonable management fee, which will be determined on a case-by-case basis

### **E. Way to Reply**

Replies should be provided in writing electronically or in print. If the request of the data subject is registered in electronic form, any information should preferably be provided in electronic form. Similarly, requests in printed form should preferably also be replied in printed form. Answers and copies of personal data subject to processing must be provided in a readable and commonly used electronic form.

### **F. Deadlines**

Neapolis University must satisfy immediately any data subject request regarding the processing of personal data and no later than one month from the submission of the request. The one-month period may be extended by two months if the request is complex or the number of copies to be issued is large.

However, the University must notify the data subject of such extension within one month of the submission of the request.

### **G. Identification of data subjects and persons acting on behalf of personal data.**

It is important to ensure that the person to whom the information is provided is the data subject or his or her legal representative or legal guardian. To this end, the applicant is required to provide the University with the appropriate documents proving his/her identity and, in the case of legal representatives or legal guardians, documents proving their identity and authority to submit the application.

In certain cases, the identity of a person requesting data via telephone can be confirmed.

Attention should be paid to cases where third parties make requests for personal data of other persons without authorization. Neapolis University will not respond to requests from data subjects unless it is certain that the information has been requested by the data subject himself or his/her legal representative or legal guardian.

In case you receive a request for information related to personal data from a Court of Law or other authority, you should immediately send any information to the Data Protection Officer (DPO) and / or the Legal Advisor, in accordance with the applicable policies of the University.

## H. Investigation

Upon receipt of a request from a data subject, the authorized employees should follow the procedures described in this procedure and do whatever is necessary and take all appropriate measures to respond promptly and adequately to the data subject. When employees in charge for handling personal data request for help from any other employee or third party who handles personal data on behalf of the University, this assistance should be provided in a timely and adequate manner.

All requests must be forwarded to [dpo.nup@nup.ac.cy](mailto:dpo.nup@nup.ac.cy) and to Data Protection Officer (DPO).

## I. Exceptions

Neapolis University is not required to respond to and / or satisfy requests when:

- 1) Adequate details regarding the nature of the information are not provided in order to make it possible to locate this information,
- 2) They are submitted by persons, who do not have such authorization from the data subject,
- 3) The data subject or legal representative or legal guardian acting on behalf of the data subject may not provide sufficient evidence of his or her identity and / or authority,
- 4) The request of the data subject is unsubstantiated or excessive, especially due to its repetitive nature,
- 5) The information requested, is publicly available,
- 6) The information is in the form of an opinion received under confidential conditions or protected by copyright law,
- 7) It is against applicable laws and regulations,
- 8) It greatly affects the rights and freedoms of others.

## Retention Period

Documents	Owner	Document Check	Retention Period
Data subject request forms.	Data Protection Officer	Only authorized persons have access to the file.	12 months
Replies to the data subjects requests.	Data Protection Officer	Only authorized persons have access to the file.	12 months

## J. Procedure Stages

### [Stage 1. Determine if the request can be classified as a data subject request.](#)

If the request is not a request of a data subject and is a request of another nature (i.e. request of information that does not concern personal data, complaint, etc.), the request must be sent to the competent Department / the competent Officer for further handling.

### [Stage 2. Examine whether information about the request is pending.](#)

If more information is required, you should contact the data subject in order to provide it to you. In the event that the data subject refuses to provide the required information, you must inform the data subject that his request cannot be answered unless he has provided all the necessary information. If the data subject does not respond within seven (7) days, the request must be "closed" with the indication "Not valid".

### [Stage 3. Confirm the identity of the data subject](#)

The data subject must provide information regarding his or her identity. In the case of legal representatives or legal guardians who submit a request on behalf of the data subject, you must request proof of their identity and authority to submit the request. Details can be found in the [Data Subject Request Form](#). In the event that the data subject refuses to provide the required information, you must inform the data subject that his request cannot be answered unless he has provided all the necessary information. If the data subject does not respond within seven (7) days, the request must be "closed" with the indication "Not valid".

### [Stage 4. Determine if this personal data is being processed.](#)

During this step, it must be determined whether the personal data relating to the data subject is processed or not. You need to get in touch with the right people to gather the necessary information. If no information is found, then you should send a reply to the data subject informing him that the University does not process personal data concerning it.

If the data subject does not respond within seven (7) days, the request must be "closed" with the indication "Negative".

### [Stage 5. Determine whether or not you can disclose the information you have found](#)

If it is not possible to disclose all information to the data subject after you have performed actions to anonymize or eliminate information, you must send a response to the data subject. In any case, the response should provide the requested information in a form that is legible and comprehensible. You will need to explain complicated terms or codes that may be included in the information you provide to the data subject.



*Stage 6. Take every necessary step to meet the request*

In some cases, a data subject's request cannot be satisfied. The data subject must be informed of the reason why his request cannot be granted. In such cases the request must be "closed" with the indication "Negative", if it is rejected in its entirety or "Partially Positive", if it was partially satisfied. In all other cases, if the request is granted, it must be "closed" with the indication "Positive".

If the data subject is not satisfied with the response he receives, he may file a complaint with the Relevant Authority.

## **K. Document Revision**

This document is reviewed periodically and revised, if necessary, by the Data Protection Officer in accordance with the Privacy Policy of Neapolis University.

## Data Subject Request Form

According to the Legal Framework for the Protection of Personal Data, you have the right to know which of your personal data we hold and process, as well as the right to request the rectification of your data. Under the conditions laid down by law, you also have the right to request erasure, restriction of processing and to oppose automated processing. You may exercise these rights in writing at any time.

However, in order to make it easier for you to submit a complete request, which will allow us to respond in a timely manner, we advise you to use [this form](#). Our response will be addressed to you or to a third party, you may authorize to act on your behalf. You will need to provide us with proof of your identity. We will process your request within 30 calendar days of receipt of the completed form and proof of your identity.

**Proof of Identity:** You need to give us proof of your identity so that we can share your personal information with you. Proof of your identity must include a copy of an identification document, i.e. personal ID, passport, student ID and a document certifying your address, i.e. a recent utility bill. If you submit the request on behalf of the data subject, you will need to provide us with proof of identity of the data subject and proof of the right to act on his/her behalf.

**Management fee:** Information and copies of personal identifiable data are provided free of charge. If the data subject requests additional copies of his/her personal data subject to processing or if the data subject's request is unsubstantiated or excessive, especially because of its recurring nature, the University reserves the right to refuse to act upon request or request a reasonable management fee, which will be determined on a case-by-case basis.

Please do not use this form to obtain general information or to make any other requests.

**1. Data Subject Information**

Name: .....

Surname:.....

Date of Birth:.....

Address: .....  
 .....Number:.....

Town/Area: .....Postal Code:.....

County:.....Country:.....

Email:.....

Phone number:.....

**2. I enclose the following as proof of my identity (mark with X)**

I.D .....  
 Students ID .....  
 Passport .....  
 Residence Permit .....  
 Other .....

**3. I enclose the following recent documents as proof of my address (mark with X)**

Utility Bill .....  
 Telephone Bill .....  
 Certificate of address from  
 tax authorities .....  
 Other .....

**4. Relationship with the University**

Please complete your relationship with the University (i.e. employee, student, supplier, partner, etc.):

.....  
 .....  
 .....  
 .....

**5. I want to: (mark with X) (for more information on your rights please read the University Data Protection Policy)**

Know if my personal data is being processed. ....

Gain access to my personal data, which you process, as well as to specific information regarding this processing. ....

Ask for rectification of my personal data. ....

Ask for erasure of my personal data . ....

Ask for the restriction of processing of my personal data. ....

Ask for portability of my personal data. ....

To object to the processing of my personal data. ....

I ask for human intervention, to express an opinion or to challenge decision based on automated processing. ....

Please provide us with additional information about your request:

.....  
 .....  
 .....  
 .....

Please provide us with any information you know that will help us identify your data and handle your request. In particular, note relevant dates and documents you may have as well as personal information with which you have contacted:

.....  
 .....  
 .....  
 .....

**6. Representative Details**

(If you submit the request on behalf of the data subject, please fill in the details of the following sections 6, 7, 8.)

Name: .....

Surname:.....

Date of Birth:.....

Address: ..... Number:.....

Town/Area: .....Postal Code:.....

County:.....Country:.....

Email:.....

Phone number:.....

What is your relationship with the data subject? (i.e. parent, legal representative, power of attorney) .....

**7. I enclose the following as proof of my identity (mark with X)**

I.D .....  
 Passport .....  
 Residence Permit .....  
 Other .....

.....

**8. I enclose the following original or certified copies as proof of my legal authority to act on behalf of the data subject.: (mark with X)**

Authorization .....  
 Power of Attorney .....  
 Judgment/Court Order .....  
 Certificate .....  
 Other .....

.....

**9. I wish to receive the information: (mark with X)**

In electronic form.

(Some files may be too large to be sent electronically and may need to be provided in CD format)

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By post.

(Please note that if you wish to receive the information by post, we will make sure that we have entered the recipient's address correctly. However, we cannot take responsibility if the information is lost in the mail or delivered incorrectly or opened by someone else in your home. Loss or incorrect delivery may cause you embarrassment or damage if the information is "sensitive.") .....

To see the information in person (without receiving a copy) .....

To receive the information in person .....

**Data Subject Declaration**

I declare at my own risk that the information I provide to the University is accurate and true. I understand that the processing of the documents that prove my identity and my residence is necessary to examine my request. Therefore, I accept the above processing and I agree to provide additional information to the University, as long as these are necessary for the examination and processing of my application.

Name:

.....

Surname:.....

Date .....Signature.....

**Declaration of Representative (if applicable)**

I declare responsibly that the information I provide to the University is accurate and true and concerns the data subject. I also responsibly declare that I am acting legally on behalf of the data subject. I understand that the processing of the documents that prove my identity and my residence is necessary to examine my request. Therefore, I accept the above processing and I agree to provide additional information to the University, as long as they are necessary for the examination and processing of this request.

Name:

.....

Surname:.....

Date .....Signature.....

**Please send the completed form and proof of identity to the following information:**

By post to the address,

C/o Data Protection Officer, off.118,  
Neapolis University Pafos,  
2, Danaes Avenue, 8042, Pafos, Cyprus

Via email to: [dpo.nup@nup.ac.cy](mailto:dpo.nup@nup.ac.cy)