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2. PRIVACY POLICY FOR STAFF¹

(This section is to be extracted and uploaded separately on the MCAST Website Data Protection Section at <https://mcast.edu.mt/data-protection-documents/>)

2.1. What is the purpose of this document?

The Malta College of Arts, Science and Technology of Corradino Hill, Paola (the “**College**”; “**we**”; “**us**” or “**our**”) is committed to protecting the privacy and security of your personal information.

This privacy notice (the “**Notice**”) describes how we collect and use information about you during and after your working relationship with us, in accordance with the Data Protection Act (Chapter 586 of the Laws of Malta), as may be amended, and the General Data Protection Regulation (EU) 2016/679).

It applies to all employees, workers and contractors.

- 2.1.1. The College is the “**data controller**”. This means that it is responsible for deciding how we hold and use personal information (i.e. “**personal data**”) about you. We are required under applicable data protection legislation to notify you of the information contained in this Notice.
- 2.1.2. Everyone essentially has rights with regards to the way and manner in which their personal data is handled. During the course of our activities, we (the College) will process your personal data as a data controller (which may be held on paper, electronically, or other medium) and we recognise the need to treat it in an appropriate and lawful manner, in accordance with the Data Protection Act (Chapter 586 of the Laws of Malta), as may be amended from time to time, and the General Data Protection Regulation (Regulation (EU) 2016/679) (the “**GDPR**” or the “**Regulation**”).
- 2.1.3. The purpose of this Notice is to set out the basis on which we will process your personal data, to inform you about how we will handle and look after your personal data and to tell you about (i) our obligations in regard to processing your personal data responsibly, (ii) your data protection rights as a data subject and (iii) how the law protects you.
- 2.1.4. This Notice applies to current and former employees, workers and contractors. This Notice does not form part of any contract of employment or other contract to provide work or services. **We may update or amend this Notice at any time.**
- 2.1.5. It is important that you read this Notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal data about you, so that you are aware of how and why we are using your personal data.
- 2.1.6. For identity purposes, the data controller is The Malta College of Arts, Science and Technology (**MCAST**) of Corradino Hill, Paola.

¹ Found at <https://mcast.edu.mt/data-protection-documents/>

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2.2. Definition of terms

- 2.2.1. **“Consent Form”** refers to separate documents which we might from time to time provide you where we ask for your explicit consent for any processing which is not for purposes set out in this Notice.
- 2.2.2. **“Data subjects”** for the purposes of this Notice means living individuals about whom we collect and hold personal data.
- 2.2.3. **“Data controller”** means any entity or individual who determines the purposes for which, and the manner in which, any personal data is processed.
- 2.2.4. **“Data processor”** means any entity or individual that processes data on our behalf and on our instructions (we being the data controller).
- 2.2.5. **“EEA”** means European Economic Area.
- 2.2.6. **“Personal data”** means data relating to a living individual who can be identified from the data (information) we hold or possess. This includes, but is not limited to, your name and surname (including maiden name where applicable), address, date of birth, nationality, gender, civil status, tax status, identity card number & passport number, contact details (including mobile and home phone number and personal email address), photographic image, bank account details, emergency contact information as well as online identifiers. The term **“personal information”**, where and when used in this Notice, shall be taken have the same meaning as personal data.
- 2.2.7. **“Processing”** means any activity that involves use of personal data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including, organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transferring personal data to third parties.
- 2.2.8. **“Sensitive personal data”, “sensitive data” or “special categories of personal data”** includes information about a person's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition or sexual life, or about the commission of, or proceedings for, any offence committed or alleged to have been committed by that person, the disposal of such proceedings or the sentence of any court in such proceedings. This type of sensitive data can only be processed under strict conditions.

2.3. Data protection principles

We will use all efforts to ensure and maintain compliance with applicable data protection laws and principles. This means that the personal data we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

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MCAST

2.4. The kind of information we process about you

As set out above, personal data (or personal information) means any information about a living individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data) or can no longer lead to identification (pseudonymised data). It also does not include information relating to a legal person (for example, a company or other entity). There are special categories of more sensitive personal data which require a higher level of protection.

2.4.1. We collect and maintain different types of personal information in respect of persons who have an employment or working relationship with us, including (in the case of employees) the personal information that was provided and obtained during the application and recruitment process.

We will generally collect, store, and use the following categories of personal data about you:

- a) Personal details such as your first name, surname, title and identity card or document number;
- b) Personal contact details such as your home address (including post code), telephone number, mobile number and personal email address;
- c) Date of Birth;
- d) Gender;
- e) Marital Status and dependants;
- f) Spouse's name and identity card or document number (where applicable);
- g) Next of kin and emergency contact information;
- h) Social Security number;
- i) FS3 and FS4 Information (the completed mandatory form);
- j) Bank account details, payroll records and tax status information;
- k) Salary, annual leave, pension and benefits information (where applicable);
- l) Rate per hour in case of part time employment;
- m) Commencement date;
- n) End date where on a fixed-term contract;
- o) Employment or working status (full time, casual part time or visiting lecturer);
- p) Location of employment or workplace;
- q) The MCAST institute or department to which you have been assigned or otherwise engaged for;
- r) MCAST email account;
- s) Curriculum vitae (CV) and applicable qualification certificates;
- t) Assessment and performance reviews;
- u) Recruitment information (including references, interview notes and other information included in a CV or cover letter or as part of the recruitment process);
- v) Previous work history;
- w) Compensation history;
- x) Disciplinary and grievance information;
- y) Exit Interview (including questionnaire replies);
- z) CCTV footage and other information obtained through electronic means such as swipe and access card records;
- aa) Entry and exit logs and security logs;
- bb) Information about your use of our information and communications systems.

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- 2.4.2. We may also collect, store and use the following special categories of personal data about you:
- Health information, such as physical conditions and disability status (please refer to Clauses 2.2.11- 2.2.13 below to see how we use this information and our reasons for doing so).
 - Right to work documentation (where applicable);
 - Court clearance searches and results.

2.5. How is your personal information collected?

- 2.5.1. We collect personal data about employees, workers and contactors through the application and recruitment process, either directly from candidates or sometimes from an employment or recruitment agency or background check provider, as well as from publicly-available information on professional networking sites.
- 2.5.2. We may sometimes collect additional information from third parties, including former employers.
- 2.5.3. We may also collect additional personal information about you in connection with your job or work related activities throughout the period of your working relationship with us.

2.6. How we will use information about you

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we have entered into with you.
- Where we need to comply with a legal obligation.
- Where it is necessary for our legitimate interests or those of a third party and your interests and fundamental rights do not override those interests.
- Upon your consent (limited scenarios and for which we will provide you with a consent notice).
- Where we need to establish, exercise or defend any legal claims

We may also use your personal information in the following situations, which are likely to be rare:

- Where we need to protect your interests (or someone else's interests).
- Where it is needed in the public interest or for official purposes.

2.7. Situations in which we will use your personal data

- 2.7.1. We need the categories of personal information set out above in Clause 2.4 primarily to allow us to perform our contract with you and to fulfil our contractual obligations to you (such as the payment of your salary or remuneration, as applicable), and to enable us to comply with our legal obligations (for example, national insurance contributions in the case of employees).

In some cases, we may use your personal data to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal data are listed below.

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(i) To perform the contract we have entered into with you and our legal obligations

- a) Checking you are legally entitled to work in the EU;
- b) Administering the contract that we have entered into with you;
- c) Paying you (payroll) and, where you are an employee, deducting and paying your tax and National Insurance contributions, as required;
- d) Employee earnings reporting and maintaining employee records;
- e) Conducting performance reviews, managing performance and determining performance requirements;
- f) Managing sickness absence leave and assessing employee attendance;
- g) Complying with health and safety obligations;
- h) To comply with applicable employment laws and for tax, inland revenue and related purposes;
- i) To comply with our other legal obligations, as may be imposed on us from time to time.

(ii) Legitimate Interests

- a) Recruitment and determining eligibility for initial employment or entry into a working relationship with us;
- b) Determining the terms on which to employ, hire or engage you;
- c) Liaising with your pension provider;
- d) Business management and planning, including accounting and auditing;
- e) Internal correspondence regarding job or work related activities;
- f) Making decisions about salary reviews and compensation;
- g) Assessing qualifications for a particular job or task, including decisions about promotions;
- h) Gathering evidence for possible grievance or disciplinary hearings;
- i) Making decisions about your continued employment or engagement;
- j) Making arrangements for the termination of the employment or working relationship;
- k) (Continued) education, training and development requirements;
- l) To conduct data analytics studies to review and better understand employee retention and attrition rates;
- m) To reduce employee attrition rates;
- n) To prevent fraud and employee or worker abuse;
- o) Managing internal disputes between employees and/or workers;
- p) To ensure the security of our premises and property (namely, via CCTV footage);
- q) To ensure the security of the belongings and property of other employees, workers and contractors (namely, via CCTV Footage);
- r) To monitor, assess and ensure compliance with our security policies,
- s) To ensure network and information security, including preventing unauthorised access to our computer and communications systems and preventing malicious software distribution;
- t) To pursue or exercise any other legitimate interests that we may have at law;

(iii) To establish, exercise or defend legal claims

To deal with legal disputes which relate to or otherwise involve you, or other employees, workers and contractors, including accidents at work;

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Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information (the categorisation in this Clause 2.2.7 is mainly indicative). These grounds may be updated from time to time.

2.7.2. In all other cases, including marketing and advertising purposes, we shall issue Consent Forms whereby you shall be requested to consent to our processing of your personal information for the purposes contained therein (e.g. where we wish to feature you on our newsletter and brochures). Such consent is entirely at your discretion and withholding your consent shall not give rise to any adverse consequences on your job performance, career opportunities and advancements. You are requested to read these Consent Forms carefully before signing them.

2.7.3. You are also entitled to revoke any consent which you may provide at any time by sending an email to dpo@mcast.edu.mt. This withdrawal of consent shall not affect any processing which may have taken place prior to such withdrawal. It shall also not affect any processing which is carried out by us pursuant to another lawful basis, as detailed and described in Clause 2.7.1.

2.8. If you fail to provide personal information

2.8.1. If you fail to provide certain personal information when requested, we may not be able to perform the contract we have entered into with you (such as paying your remuneration), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

2.9. Change of purpose

2.9.1. We will only use your personal data for the purposes for which we have collected it, unless we reasonably consider that we need to use it for another reason and where that reason is compatible with the original purpose. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

2.9.2. Please note that we may process your personal data without the need to obtain your consent, in compliance with the above rules, where this is required or permitted by law.

2.10. How we use sensitive personal data

“Special categories” of particularly sensitive personal data require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information.

We may process special categories of personal data about you:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations or exercise rights in connection with employment.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests)

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and you are not capable of giving your consent, or where you have already made the information public.

MCAST as an employer

Do we need your consent?

- 2.10.1. We do not need your consent if we use your sensitive personal data to strictly assess your working capacity, to carry out our legal obligations or exercise specific rights in the field of employment law (This applies in relation to Clauses 11 – 14 below).
- 2.10.2. In limited circumstances, we may approach you for your written consent to allow us to process certain, particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent or not. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us. You may also withdraw your consent at any point in time.

2.11. Health Information

- 2.11.1. We shall only process personal data relating to your health (**health data**) strictly in accordance with the provisions and requirements of Article 9 of the GDPR. This provides that processing of personal data relating to the health of employees may be carried out under the responsibility of a Healthcare Professional and for the assessment of the working capacity of the employee. Healthcare Professionals are subject to professional secrecy obligations in line with applicable Maltese laws.
- 2.11.2. Additionally, you may also freely decide to provide us (**at your discretion**) with information about:
- a) any physical conditions that you may suffer from (such as allergies); and
 - b) where the case, the disability status that may be applicable to you.

We will only process and use any such information that we receive from you strictly for the purposes stated in Clause 10 above.

2.12. Medical Records

- 2.12.1. Furthermore, employees are required to provide the College with a medical certificate, issued by a registered medical practitioner, where they take more than two (2) days' leave from work due to sickness (**sick leave**). We process these medical certificates in order to confirm that the sick leave was legitimately exercised by the employee and that there has been no abuse on the part of that employee, to also comply with our specific obligations under, in particular, the Minimum Special Leave Entitlement Regulations (S.L. 425.101) or under the applicable Wage Regulation Order (together, the "**Regulations**") and (where we suspect employee abuse) to detect the existence of any sick leave patterns and trends by the employee concerned. We are entitled under the Regulations to request and receive this documentation from you (unless excluded by an applicable collective agreement).
- 2.12.2. Medical certificates for sick leave absences which may be required to be presented to the College, or which the College may be obligated or entitled at law to collect (as mentioned above), shall be

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treated in the utmost confidentiality and retained in a designated cabinet with limited access solely to the Human Resources Director and Human Resources staff who shall not share this information with other members of the management team, co-employees or, needless to say, any third parties.

2.13. How we use your health information

- 2.13.1. We will use information relating to leaves of absence, which may include sickness or family-related absences, to comply with employment and other laws (including the Regulations), to exercise our rights under the Regulations (as an employer) as well as for the purposes stated in Clause 2.12 above.
- 2.13.2. Your health information will only be processed by the College, at all times under strict confidentiality, if there is the need to ensure your health and safety in the workplace or that of your co-workers, to provide appropriate workplace adjustments, to monitor and manage your absences from work due to sickness, and to apply and administer benefits to you or on your behalf (for example, disability benefits).

2.14. Police conduct certificates

- 2.14.1. We will generally require you to provide us with a clean police conduct certificate in order to be in a position to confirm your appointment. A note of the results of the certificate will be retained as part of your HR file during the course of your working relationship with us. We do not keep copies of the certificate itself.

2.15. Court clearances

- 2.15.1. The College has a legal obligation by virtue of the Protection of Minors (Registration) Act (Chapter 518 of the Laws of Malta) (the “**Act**”) to carry out a so-termed “court clearance search” on any individual that it either intends to employ or to otherwise entrust with a position at its institution. This is due to the fact that minors (as defined under applicable Maltese laws) form part of its student base.
- 2.15.2. This court clearance search entails filing an application to the Court of Voluntary Jurisdiction of the Maltese Civil Courts requesting the Attorney General of Malta to carry out a search on the relevant individual in a register maintained by the Registrar, Civil Courts and Tribunals, in terms of Article 3 of the Act. The relative application is prepared and submitted by a lawyer acting on our behalf and will be served on the Attorney General. Once the searched has been carried out, the Attorney General will be required to file its reply regarding the results of the search and the Court will then issue its decree based on those results. This decree will be communicated to us, typically through our lawyer. The information to be disclosed in the decree (which may or may not include information about possible offences committed by the individual) is solely identified and determined by the Court.
- 2.15.3. We do not retain the decree issued by the Court, including where it discloses information about prior offences. **In the case of a positive decree (i.e. no results)**, we will merely take a note of the outcome of that decree, which will be retained as part of your HR file during the course of your working relationship with us. This note is kept and maintained in the strictest confidence at all times, and will only be accessible to the principal, HR Director and HR staff. **However, in the case of a negative decree, the College:**

- a) will firstly not be in a position at law to employ or otherwise engage you; and

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b) will also be bound to adhere to any orders or directives which may be issued by the Court.

[In such a case, a note will be taken and logged that we were not able to employ or engage you. This note will be equally kept and maintained in the strictest confidence at all times, will only be accessible to the principal, HR Director and HR staff, and will only be used for the following limited purposes:

- a) for any subsequent employment or work application which you may lodge with the College; and
- b) for use in any legal claims that you may file against the College in connection with our decision not to employ or otherwise engage you].

2.15.4. We entrust and engage a lawyer to handle this process on our behalf, as indicated above. For the purposes of the required Court application, our lawyer will generally need to be provided with the following details about you: your name, surname, identity card or document number, and your commencement date. Moreover, our lawyer will also be privy to the Court decree and the information contained in it, as well as any information which could potentially be disclosed during a hearing on the application (if appointed by the Court). **Note that lawyers are subject to strict professional secrecy obligations in line with applicable Maltese laws.**

2.16. Data sharing

We may have to share your personal data with third parties, including third-party service providers and professional advisors and.

We require third parties to respect the security of your data and to treat it in accordance with the law.

Which third-party service providers process your personal information?

- 2.16.1. **“Third parties”** includes third-party service providers (including contractors, professional advisors and designated agents) and public authorities.
- 2.16.2. The following activities are carried out by third-party service providers: legal counsel, security services and cleaning.

How secure is your information with third-party service providers?

- 2.16.3. All our third-party service providers are required to take appropriate security measures to protect your personal data, in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our explicit, written instructions. They are contractually bound by appropriate agreements in respect of any and all processing of your personal data.

What about other third parties?

- 2.16.4. We may also need to share your personal data with a regulator, a public authority or law enforcement authorities or to otherwise comply with the law. We are obligated under the Protection of Minors (Registration) Act (Chapter 518 of the Laws of Malta) to disclose the commission of a

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scheduled offence (as defined by that Act) which occurs at our institution to the Commissioner for Police.

2.17. Data security

We have put in place measures to protect the security of your information. Details of these measures are available upon request. Third parties will only process your personal data on our instructions and where they have contractually agreed to treat the information confidentially and to keep it secure.

- 2.17.1. We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.
- 2.17.2. In addition, we limit access to your personal information to the Principal, HR Director and strictly only those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.
- 2.17.3. Details of these measures may be obtained from our data protection officer.
- 2.17.4. We have also put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.
- 2.17.5. Whenever possible, and where it is not necessary, or otherwise no longer necessary, to identify you, such as for research or internal analysis purposes, we pseudonymise or anonymise your personal data so that it can no longer be used to identify you.

2.18. Transferring of personal data to a country outside the EEA

- 2.18.1. We may transfer any personal data we hold to a country outside the EEA provided that:
 - a) the country to which the personal data is transferred ensures an adequate level of protection for the data subject's rights and freedoms recognised under EU data protection law;
 - b) in the absence of an adequacy decision (that is, a finding by the European Commission that a third country, territory, specific sector in a third country or an international organisation offers levels of data protection that are essentially equivalent to that within the EU) the data transfer is regulated by specific contracts approved by the European Commission which afford personal data the same standards of protection it has in Europe;
 - c) the transfer is necessary for the performance of your employment contract with the College;
 - d) the transfer is necessary for the performance of a contract concluded in your interests

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between us and another person;

- e) the transfer is necessary for important reasons of public interest;
- f) the transfer is necessary in order for us to comply with a legal or regulatory obligation; or
- g) the transfer is necessary for the filing, or defence, of legal claims.

2.18.2. For all other cases, we will request your explicit consent to transfer your data outside the EEA.

2.19. Data retention

How long will you use my information for?

- 2.19.1. We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, tax, accounting, or reporting requirements. This means that data will be destroyed or erased from our systems when it is no longer required.
- 2.19.2. Details of retention periods for different aspects of your personal data are set out in our Data Retention Policy which is available at <https://mcast.edu.mt/data-protection-documents/>.
- 2.19.3. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.
- 2.19.4. In some circumstances, we may anonymise your personal data so that it can no longer be associated with you, in which case we may use such data without further notice to you. Once you are no longer an employee, worker or contractor of the College, we will retain and securely destroy your personal data in accordance with our data retention policy.

2.20. Rights of access, correction, erasure, and restriction

- 2.20.1. The data protection laws across the EU, including Malta, have changed on 25th May, 2018, due to the application of the GDPR. Although this Notice sets out most of your rights under the GDPR, we may not yet be able to respond to some of your requests until May, 2018, as we are still working towards getting our systems ready for some of these changes.

Your duty to inform us of changes

- 2.20.2. It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your working relationship with us.

Right of Access

- 2.20.3. You have the right to request information as to whether or not your personal data is being processed by us, as well as information as to how and why it is being processed.
- 2.20.4. You may send an email to dpo@mcast.edu.mt requesting information and a copy of the personal data about you which we process. You shall receive one copy, free of charge and via email, of

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your personal data which is undergoing processing by us. A limit of two such requests per 12 month period is being made for logistical reasons.

2.20.5. This right to access your personal data is without prejudice to the integrity and confidentiality of the personal data of other persons, and only data which is solely related to you can be divulged.

Right to Correction

2.20.6. You have the right to **request correction or rectification** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected and/or updated, though we may need to verify the accuracy of the new data you provide to us.

Right to Erasure

2.20.7. You have the right to **request erasure** of your personal data. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it.

2.20.8. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).

2.20.9. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request. Most commonly, this will be where further processing of the personal data is required by us to:

- a) Comply with a legal obligation to which we are subject;
- b) assert, exercise or defence of legal claims (including possible future claims).

Right to Object

2.20.10. You have the right to **object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal data for direct marketing purposes.

Right to Restriction

2.20.11. You have the right to **request the restriction of processing** of your personal data. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

Right to Request Transfer (Data Portability)

2.20.12. You have the right to **request the transfer (data portability)** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use, or where we used the information to perform a contract with you.

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Exercise of Rights

2.20.13. If you want to review, verify, correct or request erasure of your personal data, object to the processing of your personal data, or request that we transfer a copy of your personal data to another party, please contact our data protection officer in writing.

What we may need from you

2.20.14. We may need to request specific information from you to help us confirm your identity and ensure your right to access the information in question (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

Right to withdraw consent

2.20.15. In the limited circumstances, where you may have provided your consent to the collection, processing and transfer of your personal data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact our data protection officer at dpo@mcast.edu.mt. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

2.21. Data protection officer and complaints

2.21.1. We have appointed a data protection officer (DPO) to oversee compliance with this Notice. If you have any questions about this Notice or how we handle your personal information, please contact the DPO on dpo@mcast.edu.mt. You have the right to lodge a complaint at any time to the competent supervisory authority in your jurisdiction on data protection matters.

2.21.2. In the case of Malta, this is the Information and Data Protection Commissioner (“**IDPC**”) (<https://idpc.org.mt/en/Pages/Home.aspx>). We would, however, appreciate the opportunity to deal with your concerns internally before you approach the supervisory authority, so please bring the matter to our attention at the first instance.

2.22. Changes to this privacy notice

2.22.1. We reserve the right to update this 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 Notice, please contact our data protection officer at dpo@mcast.edu.mt.

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Appendix 'A'

Appendix to Section 2 – Privacy Notice Staff

In order to ensure that no personal data is accidentally leaked from MCAST, the following procedures are being implemented across all MCAST and applicable to all staff.

1. Employees are to save all their files exclusively and solely on MCAST servers and not local hard drive. MCAST reserves the right to block access to the local drives on its computers if the DPO deems it necessary with the approval of the MCAST Principal/CEO
2. In line with the above clause 1, the College will not grant access to any member of staff to save any information found on MCAST servers on external storage, be it pen drives, external hard drives or any other device. In line with the strict and utmost efforts being made by MCAST to save and protect all information and data found on its servers, only limited exemptions to this rule will be permitted by the DPO upon approval by the Principal/CEO.
3. Again in line with the above rule and in conformity with the predominant rule that all data is to remain exclusively on the MCAST servers, any employee is forbidden from downloading any data, whether through email or otherwise, onto their own device, be it mobile, computer, tablet etc. To this effect, it is also being made clear that any data on the MCAST servers will be accessed by any employee's personal device if such device is secured with enabled encryption.
4. An MCAST employee shall not re-create lists which are already in existence as this will make it more difficult to delete all versions of that information when required.
5. An MCAST employee shall not give any information about MCAST, its staff, or its students to anyone (including but not limited to Government departments and agencies) without prior clearance from the Data Protection Officer or any other person delegated by them.
6. An MCAST employee shall not collect photocopies of ID cards, passports or police conduct certificates. You may ask to see them to verify the contents therein but they are to be returned to their owner immediately. Any photocopies of such documents already in your possession should be destroyed (shredded) immediately.
7. An MCAST employee shall not put people on any mailing list without obtaining their consent beforehand and these are to be removed from any such mailing lists as soon as the consent is revoked.
8. Age of consent with regards to education purposes is 16, not 18. If parents ask for information about their children, they need to come in person accompanied by their children, and such information can only be given if the children give their consent. The only exception to this is those students who are still under the age of 16 (normally such occurrences only happen between October and December only).
9. Under no circumstance are you to give any personal/ sensitive information about any one over the telephone or through an email, since the true identity of the recipient cannot be verified in that manner.
10. Staff at Institutes are to ensure that they have two separate student files, one for personal information and one for sensitive information (medical, psychological etc). The personal files can be kept at the SAO filed in lockable cabinets, whilst the sensitive information files are to be kept under lock and key in the directors' (or deputy directors) office.

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11. Any research that uses personal information about staff and/or students should be default be anonymised before used by researchers. In particular instances where MCAST feels that the results of the research could help individual students in their stay at MCAST and beyond, the data can be pseudo-anonymised by MCAST and key should never be made available to the researchers.