

Privacy policy – Information on the processing of personal data while using video conferencing provided by Zoom Video Communications, Inc.

(Version of this privacy policy on the aforementioned processing: 1.1 of 27/04/2021)

With this privacy policy, Bielefeld University of Applied Sciences meets the duty to supply information in accordance with Articles 13, 14 of the EU General Data Protection Regulation (EU GDPR) for the aforementioned processing of personal data.

With regard to the terms used below, “personal data”, “processing”, “controller”, “third party” etc., we refer to the definitions in Article 4 of the EU GDPR.

Purpose of the processing

Procurement and use of the video conferencing and webinar solution provided by Zoom Video Communications, Inc. as a tool for teaching, research and administration in online meetings and webinars (hereinafter “online meetings”).

This includes the use of the licensed products and services, the provision of updates, ensuring information security as well as technical and customer support.

Contact information

Bielefeld University of Applied Sciences, a corporate entity under public law financed by the German federal state North Rhine-Westphalia, is the controller of the processing of personal data. It is represented by its president, Prof. Dr. Ingeborg Schramm-Wölk.

Contact information of the controller

Fachhochschule Bielefeld
Die Präsidentin
Interaktion 1
33619 Bielefeld
Germany

Telephone: +49 521 106-7701

Website: <https://www.fh-bielefeld.de>

Contact person

Name: Michael Korff

E-mail: Michael.Korff@fh-bielefeld.de

Telephone: +49 521 106-7719

Website: <https://www.fh-bielefeld.de>

Contact details of the data protection officer

The data protection officer can be contacted through the controller's postal address or as follows:

E-mail: datenschutzbeauftragte@fh-bielefeld.de

Telephone: +49 521 106-7743

Website: <https://www.fh-bielefeld.de/datenschutzbeauftragte>

Processed personal data and purposes

In the context of online meetings, the following personal data are collected and processed for the following purposes:

- User profile of registered users (necessary for conducting online meetings):
 - First name, last name,
 - Telephone number (optional),
 - E-mail address,
 - Password,
 - Profile picture (optional),
 - Department (optional),
 - Video, text and audio files during an online meeting
- Non-registered users (necessary for conducting online meetings):
 - First name, last name,
 - Profile picture (optional),
 - Video, text and audio files during an online meeting
- Meeting meta data
 - Subject,
 - Description (optional),
 - Participants' IP addresses,
 - Participants' device/hardware information
- Recording of meetings (only locally, cloud recording is deactivated)
 - MP4 of all video and audio recordings and presentations,
 - M4A of all audio recordings,
 - Chats,
 - Audio protocol file,
 - Whiteboards, captions,
 - Chat protocols of the instant messaging feature (only locally in the client, cloud storage is deactivated)
- Telephony usage data (optional),
 - Telephone number of the caller,
 - Country name, IP address,
 - 911 address (registered business address),
 - Starting and ending time,
 - Host name,
 - Host e-mail,
 - MAC address of the used device.

Processing scope

Legal bases

The legal bases for the processing of personal data are Art. 6(1) point (b), Art. 6(1) point (c), Art. 6(1) point (d), Art. 6(1) point (e), Art. 6(1) point (f) GDPR as well as §18 of the Data Protection Act of North Rhine-Westphalia (DSG NRW).

In detail:

If personal data of employees of Bielefeld University of Applied Sciences are processed, this happens pursuant to Art. 6(1) point (b) GDPR, Art. 6(1) point (c) GDPR and §18 DSG NRW, in conjunction with Art. 6(1) point (c), Art. 6(1) point (d), Art. 6(1) point (e) GDPR. The processing of employee data is necessary for employment relations and – for the employees as the party concerned – for the fulfilment of existing employment contracts. If the processing is necessary for fulfilling a legal obligation that Bielefeld University of Applied Sciences is subject to, Art. 6 (1) point (c) GDPR is the legal basis. Relating to the current circumstances of the COVID-19 pandemic, the legality of the processing of employee data additionally ensues from Art. 6(1) point (d), Art. 6(1) point (e) GDPR, as it guarantees the protection of the concerned employees' health and physical integrity while keeping up the university's operations which, in teaching, performs a duty that is in the public's interest.

Furthermore, personal data are processed holding "online meetings" on the basis of Art. 6(1) point (b) GDPR, insofar as meetings are necessarily held for the purposes of the initiation, fulfilment and execution of contractual relations.

As far as no contractual relations are affected, the processing of personal data is based on Art. 6(1) point (f) GDPR. In this respect, there are legitimate interests of Bielefeld University of Applied Sciences as the controller and interests of concerned third parties that, especially in times of crisis, fast and implementable basic decisions for maintaining the university's operations can be made.

As far as personal data of employees of Bielefeld University of Applied Sciences are processed, this happens pursuant to §18 DSG NRW. If personal data with regard to the use of "online meetings" should not be necessary for the fulfilment of employment relations, but an elementary component for the use of "online meetings", Art. 6(1) point (f) GDPR shall be the legal basis for data processing. Our interest in cases like these lies in effectively conducting "online meetings".

Apart from that, the legal basis for data processing within the context of "online meetings" shall be Art. 6(1) point (b) GDPR, as long as the meetings are held for the purposes of contractual relations.

If no contractual relations exist, the legal basis shall be Art. 6(1) point (f) GDPR. Our interest in cases like these, too, lies in effectively conducting "online meetings".

Data transfer

Recipient / Transfer of data

Personal data that are processed within the context of participation in “online meetings” are in principle not transferred to third parties if they are not intended for transfer. Please note that content from “online meetings”, as in face-to-face meetings, often serve to communicate information to customers, interested parties or third parties and are therefore intended for transfer.

Other recipients

The provider of “online meetings”, Zoom Video Communications, Inc., shall be informed of the aforementioned data to the extent that it is intended within the scope of our order processing agreement with Zoom Video Communications, Inc. This can be viewed at https://zoom.us/docs/doc/Zoom_GLOBAL_DPA.pdf. Zoom Video Communications, Inc. utilises various subprocessors, a list of which can be viewed at <https://zoom.us/de-de/subprocessors.html>. The subprocessors are subject to obligations that are equivalent to those that Zoom Video Communications, Inc. has accepted, as set out in the order processing agreement with Zoom Video Communications, Inc.

Data processing outside the European Union

“Online meetings” is a service provided by Zoom Video Communications, Inc. from the United States of America. Processing of personal data is therefore also carried out in a third country. Bielefeld University of Applied Sciences has entered into an order processing agreement with Zoom Video Communications, Inc. which conforms to Art. 28 GDPR.

The level of data protection is determined by the use of the EU’s standard contractual clauses according to Art. 46(2) point (c) and (d) GDPR.

Processing period / Erasure of data

The “online meetings” service has been preset in a way that no communication content (incl. chat) is being stored on the provider’s side. Data can only be stored locally.

“Online meetings” can be recorded by the moderator if it is necessary for the aforementioned purposes. Participants have to agree to this in advance.

If an “online meeting” is recorded or protocolled, your data (video or audio data, questions or postings to the chat) are stored in the media portal on university servers. The storage period is determined by the general rules according to the required storage period.

After collection, your data will be stored for as long as it will be necessary to fulfil the aforementioned purposes. This is not applicable if a longer storage or retention period is prescribed by law or necessary for law enforcement within the statutory limitation periods. If data are only stored for the aforementioned purposes, access to them is limited to the extent necessary for this.

If you are a registered user of Zoom (e.g. for using the mobile app) reports on “online meetings” (meeting meta data, data for dialling up via telephone, questions and answers in webinars, survey function in webinars) can be stored. For these data, Zoom is the sole controller and obliged to provide information.

Your rights as data subject

As data subject, you can assert your rights granted by the EU GDPR at any time:

- The right to obtain information from the contact person named as the contact person as to whether or not personal data of yours are being processed, and if so, which personal data are being processed (Art. 15 EU GDPR),
- The right to request rectification or completion of the data that concern you (Art. 16 EU GDPR),
- The right to erasure of data that concern you in accordance with Art. 17 EU GDPR,
- The right to obtain restriction of processing data in accordance with Art. 18 EU GDPR,
- The right to withdraw the consent you have given at any time (from the moment of withdrawal onwards). The lawfulness of the processing taking place from consent until withdrawal shall not be affected by this (Art. 7(3) EU GDPR),
- The right to object to future processing of data that concern you in accordance with Art. 21 EU GDPR.

Beyond the aforementioned rights, you have the right to lodge a complaint with the data protection supervisory authority (Art. 77 EU GDPR), e.g. with the authority relevant to the university:

Landesbeauftragte für Datenschutz und
Informationsfreiheit Nordrhein-Westfalen
Kavalleriestraße 2-4

40213 Düsseldorf
Germany

Telephone: +49 211 38424-0
E-mail: poststelle@ldi.nrw.de

Validity of this privacy policy

We reserve the right to make amendments to this privacy policy in order to update it in accordance with amendments made to relevant laws or regulations, or in order to better respond to your needs. The most recent version of this privacy policy published by Bielefeld University of Applied Sciences shall apply.