

Information pursuant to Article 13 (1) and (2) of the GDPR based on the collection of personal data

When you use the JITS Meet video conferencing service in connection with your work at the University and in your home office, your personal data will be collected. Please note the following data protection information:

1. Controller

The body responsible for data collection is:
Hochschule Niederrhein - University of Applied Sciences
Legally represented by the President
Dr Thomas Grünewald
Reinarzstrasse 49
47805 Krefeld
Phone: +49 (0)2151 822-0
Fax: +49 (0)2151 822-3998
Email: [webmaster\(at\)hs-niederrhein.de](mailto:webmaster(at)hs-niederrhein.de)

2. Data Protection Officers

Hochschule Niederrhein – University of Applied Sciences
The University Data Protection Officers
Richard-Wagner-Str. 101
41065 Mönchengladbach

Prof. Dr Michael Els

Email: [Michael.Els\(at\)hs-niederrhein.de](mailto:Michael.Els(at)hs-niederrhein.de)

Dorothea Weiler

Email: [Dorothea.Weiler\(at\)hs-niederrhein.de](mailto:Dorothea.Weiler(at)hs-niederrhein.de)

3. Responsible organisational unit

Hochschule Niederrhein – University of Applied Sciences
Division I: Infrastructure Resources
Director: Wolfgang Mülders Dipl.-Kfm. (FH)
Reinarzstrasse 49
47805 Krefeld
Email: [it-support\(at\)hs-niederrhein.de](mailto:it-support(at)hs-niederrhein.de)

4. Data protection supervisory authority

The competent supervisory authority for data protection is the State Commissioner for Data Protection and Information Security of North Rhine-Westphalia:
State Commissioner for Data Protection and Information Security
North Rhine-Westphalia
Postfach 20 04 44
40102 Düsseldorf
Phone: +49 (0)211 38424-0
Fax: +49 (0)211 38424-10
Email: [poststelle\(at\)ldi.nrw.de](mailto:poststelle(at)ldi.nrw.de)

5. Purposes and legal grounds of processing

JITS Meet is used in the administration of the Hochschule Niederrhein as a tool for organising video conferences and meetings.

Furthermore, Jitsi Meet is used at the Hochschule Niederrhein to provide counselling services at the Hochschule Niederrhein during the Covid-19 pandemic.

Data will not be processed for purposes other than those stated or permitted by law.

Data processing is carried out on the basis of the General Data Protection Regulation GDPR, the Data Protection Act of North Rhine-Westphalia (DSG NRW) and other applicable data protection regulations.

Processing of personal data in the context of the use of JITSI Meet is based on the following legal grounds:

- For the (voluntary) use of JITSI Meet according to Art. 6 (1) (a) of the GDPR (Consent)
- For the fulfilment of the statutory tasks of the Hochschule Niederrhein in connection with enabling research, teaching and study pursuant to Art. 6 (1) (e) of the GDPR in conjunction with Article 3 of the HG NRW
- For data processing in the context of contractual relationships in compliance with Art. 6 (1) (b) of the GDPR
- For the use of JITSI Meet in the employment context pursuant to Art. 88 (1) GDPR in conjunction with Article 18 (1) DSG NRW

6. Recipients of personal data

The collected personal data are processed on the server of the Hochschule Niederrhein in log files. The video conference data are distributed among the participants. In addition, personal data processed in connection with the use of JITSI Meet will generally not be disclosed to third parties unless it is specifically intended for disclosure.

7. Processing of personal data

Only the personal data provided by you or which have been made available to the Hochschule Niederrhein in a permissible manner within the scope of its legal duties will be processed.

Personal data are processed in the course of use of the software. This depends on the settings selected in each case and the content used in the context of use of the software.

User details:

Last name, first name, email address (optional)

Meeting metadata

Subject, description (optional), link, password

Text, audio and video data

Video, audio data, text file of the online meeting chat, shared documents

Speaking statistics

Statistics for the speaking time are generated and visible to all participants.

Log data

Website accessed, date and time of access, IP address of the user, http status code, amount of data accessed, browser type and version, operating system used by the user

8. Cookies

Cookies are files that can be stored by the provider of a website in the directory of the browser programme on the user's computer. These files contain text information and can be read again by the provider when the site is revisited. The provider can use these cookies, for example, to always provide content in the language selected by the user.

Cookies can be given an expiration date. For example, cookies that are only used in one session or the expiration date of which is reached are automatically deleted when the browser is closed. You can deactivate the storage of cookies in the browser settings; however, this means that the functions controlled by the cookies can no longer be used. You can view the cookies stored in your browser and delete individual cookies at any time.

JITSI Meet uses cookies to store personalised settings of the user in the browser, for example, so that they do not have to be re-entered each time the programme is used (freely chosen name).

9. Storage time

The personal data collected when JITSI Meet is used is deleted as soon as the purpose for processing is no longer applicable. The data are not stored on the servers of the Hochschule Niederrhein. The log data are stored for a maximum of seven days and then deleted.

In the event of an unlawful attack, the log data may be exempted from deletion for evidentiary reasons until such time as a possible unlawful act has been clarified.

10. Data protection configurations

To achieve the best possible protection of your personal data, data protection-friendly default settings have been made. This is to ensure that only the minimum of data is transmitted and stored. In detail, the following default settings have been made:

- JITSI Meet is only available to employees of the Hochschule Niederrhein. Employees are authenticated with the Identity Access Management of the Hochschule Niederrhein.
- The conference rooms are password protected.
- External connections to third party services have been disabled. Third-party requests are disabled.
- The IP addresses of the participants are not recorded.
- The use of the JITSI Meet apps for iOS and Android devices is excluded according to the terms of use of the Hochschule Niederrhein, as the third-party trackers (Google CrashLytics, Google Firebase Analytics, Amplitude) cannot be removed from the apps.
- Hochschule Niederrhein operates its own STUN or TURN servers to prevent the transmission of the user's IP address to external providers.
- The video conference starts with audio only when entering a conference room, the camera must be activated by the user.

11. Data subjects' rights

The following list includes all data subjects' rights under the GDPR. If your personal data are processed, you are a data subject within the meaning of the GDPR and you have the following rights towards the controller:



- **Right of access, Art. 15 GDPR**

You may request confirmation from the controller as to whether your personal data are being processed by us. If such data are processed, you can request information from the controller about the following:

- (1) The purposes for which the personal data are processed;
- (2) The categories of personal data processed;
- (3) The recipients or categories of recipients to whom your personal data have been or will be disclosed;
- (4) The planned storage time of your personal data or, if specific information in this respect is not possible, criteria for determining the storage time;
- (5) The existence of a right to rectify or erase your personal data, a right to restrict processing by the controller or a right to object to such processing;
- (6) The existence of a right to lodge a complaint with a supervisory authority;
- (7) Any available information on the origin of the data if the personal data are not collected from the data subject;
- (8) The existence of automated decision-making, including profiling, pursuant to Art. 22 (1) and (4) of the GDPR and – at least in these cases – meaningful information about the logic involved and the scope and intended effects of such processing for the data subject.

You have the right to request information on whether your personal data are transferred to a third country or to an international organisation. In this context you have the right to be informed of the appropriate safeguards pursuant to Article 46 of the GDPR relating to the transfer.

This right of access may be restricted to the extent that it is likely to render impossible or seriously impede the achievement of the purposes of the research or statistics and the restriction is necessary for the fulfilment of the purposes of the research or statistics.

- **Right to rectification, Art. 16 GDPR**

You have a right to rectification and/or completion towards the controller if your processed personal data are inaccurate or incomplete. The controller must make the correction without delay.

Your right to rectification may be restricted to the extent that it is likely to render impossible or seriously impede the achievement of the purposes of the research or statistics and the restriction is necessary for the fulfilment of the purposes of the research or statistics.

- **Right to erasure Art. 17 GDPR**

- 1) Erasure obligation

You have the right to instruct the controller to erase your personal data without undue delay, and the controller is obliged to erase this data without undue delay, if one of the following reasons applies:

- (1) Your personal data are no longer necessary for the purposes for which they

were collected or otherwise processed.

(2) You revoke your consent on which the processing was based pursuant to Art. 6 (1) (a) or Art. 9 (2) (a) of the GDPR and there is no other legal basis for such processing.

(3) You object to processing pursuant to Art. 21 (1) of the GDPR and there are no overriding legitimate grounds for processing, or you object to processing pursuant to Art. 21 (2) of the GDPR.

(4) Your personal data have been processed unlawfully.

(5) The erasure of your personal data are necessary for compliance with a legal obligation under Union or Member State law to which the controller is subject.

(6) Your personal data has been collected in relation to information society services offered pursuant to Article 8 (1) of the GDPR.

2) Information to third parties

If the controller has made your personal data public and is obliged to erase it pursuant to Article 17 (1) of the GDPR, they shall take reasonable steps, taking into account available technology and the means available to the controller, including technical measures, to inform data controllers who process the personal data that you, as the data subject, have requested that they erase all links to or copies or replications of such personal data.

3) Exceptions

The right to erasure does not apply if processing is necessary

(1) For the exercise of the right to freedom of expression and information;

(2) For compliance with a legal obligation which requires processing under Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

(3) For reasons of public interest in the field of public health pursuant to Art. 9 (2) (h) and (i) and Art. 9 (3) of the GDPR;

(4) For archiving purposes in the public interest, scientific or historical research purposes or statistical purposes pursuant to Art. 89 (1) of the GDPR, insofar as the right referred to in section (a) is likely to render impossible or seriously prejudice the achievement of the purposes of such processing; or

(5) For the establishment, exercise or defence of legal claims.

- **Right to restriction of processing, Art. 18 GDPR**

Under the following conditions, you may request the restriction of processing of your personal data:

(1) You contest the accuracy of your personal data for a period enabling the controller to verify the accuracy of the personal data;

(2) Processing is unlawful and you object to the erasure of the personal data and instead request restriction of the use of the personal data;

(3) The controller no longer needs the personal data for the purposes of processing but you need them for the assertion, exercise or defence of legal claims; or

(4) If you object to processing pursuant to Art. 21 (1) of the GDPR and it is not yet clear whether the legitimate reasons of the controller outweigh your reasons.

Where processing of your personal data has been restricted, such data may only be processed, with the exception of storage, with your consent or for the assertion, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of substantial public interest of the Union or of a Member State.

If processing has been restricted in accordance with the above conditions, you will be informed by the controller before the restriction is lifted.

Your right to restriction of processing may be restricted to the extent that it is likely to render impossible or seriously impede the achievement of the purposes of the research or statistics and the restriction is necessary for the fulfilment of the purposes of the research or statistics.

- **Right to notification, Art. 19 GDPR**

If you have asserted the right to rectification, erasure or restriction of processing towards the controller, the controller is obliged to inform all recipients to whom your personal data have been disclosed of this rectification or erasure of the data or restriction of processing, unless this proves impossible or involves a disproportionate effort. You have the right to be informed of these recipients by the controller.

- **Right to data portability, Art. 20 GDPR**

You have the right to receive your personal data that you have provided to the controller in a structured, commonly used and machine-readable format. In addition, you have the right to transmit this data to another controller without hindrance by the controller to whom the personal data was provided, provided that

(1) Processing is based on consent pursuant to Art. 6 (1) (a) GDPR or Art. 9 (2) (a) GDPR or on a contract pursuant to Art. 6 (1) (b) GDPR, and

(2) Processing is carried out by automated means.

In exercising this right, you also have the right to have your personal data transferred directly from one controller to another controller, insofar as this is technically feasible. The freedoms and rights of other persons shall not be adversely affected as a result.

The right to data portability does not apply to processing of personal data necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

- **Right of objection, Art. 21 GDPR**

You have the right to object at any time, on grounds arising from your particular situation, to processing of your personal data which is carried out on the basis of Art. 6 (1) (e) or (f) GDPR; this also applies to profiling based on these provisions.

The controller shall no longer process your personal data unless they can demonstrate compelling legitimate grounds for processing which override your interests, rights and freedoms, or for the establishment, exercise or defence of legal claims. If your personal data are processed for the purpose of direct marketing, you have the right to object at any time to processing of your personal data for the purpose of such marketing; this also applies to profiling insofar as it is related to such direct marketing.

If you object to processing for direct marketing purposes, your personal data will no longer be processed for these purposes.

You have the possibility, in connection with the use of information society services, notwithstanding Directive 2002/58/EC, to exercise your right to object by automated means using technical specifications.

You also have the right to object, on grounds relating to your particular situation, to processing of your personal data which is carried out for scientific or historical research purposes or for statistical purposes pursuant to Article 89 (1) GDPR.

Your right to object may be restricted to the extent that it is likely to render impossible or seriously impede the achievement of the purposes of the research or statistics and the restriction is necessary for the fulfilment of the purposes of the research or statistics.

- **Automated decision-making in individual cases including profiling, Art. 22 GDPR**

You have the right to not to be subject to a decision based solely on automated processing – including profiling – which produces legal effects concerning you or similarly significantly affects you. This shall not apply if the decision

(1) Is necessary for entering into or performance of a contract between you and the controller,

(2) Is authorised by Union or Member State legislation to which the controller is subject and that legislation contains adequate measures to safeguard your rights and freedoms and your legitimate interests; or

(3) Is based on your explicit consent.

However, these decisions must not be based on special categories of personal data pursuant to Article 9 (1) of the GDPR, unless Article 9 (2) (a) or (g) of the GDPR applies and appropriate measures have been taken to protect the rights and freedoms and your legitimate interests.

With regard to the cases referred to in (1) and (3), the controller shall take reasonable steps to safeguard your rights and freedoms and your legitimate interests, including at least the right to obtain the human intervention on the part of the controller, to express his or her point of view and to contest the decision.

12. Right of revocation in the event of consent

You have the right to revoke your declaration of consent under data protection law at any time. Revocation of consent does not affect the lawfulness of processing carried out on the basis of the consent until the revocation.

13. Right of complaint to the supervisory authority

Without prejudice to any other administrative or judicial remedy, you have the right to lodge a complaint with the supervisory authority if you consider that processing of your personal data infringes the GDPR. The supervisory authority to which the complaint has been lodged



shall inform the complainant of the status and outcome of the complaint, including the possibility of a judicial remedy under Article 78 of the GDPR.

The above-mentioned data protection supervisory authority is responsible for the Hochschule Niederrhein.