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Direttorat għar-Riċerka u l-Evalwazzjoni Interna tal- Iskejjel (RSIRD), fi ħdan il-Ministeru għall-Edukazzjoni, L-Isport, Iż-Żgħażagħ, Ir-Riċerka u L-Innovazzjoni (MEYR)

Regolamenti u Proċeduri Amministrattivi dwar il-Protezzjoni tad-Data Personali

Fir-rigward tal-Proġett ta' Riċerka dwar is-Soluzzjoni tad-Data Warehouse

Ir-Regolament Ġenerali dwar il-Protezzjoni tad-Data (UE) 2016/679, (GDPR) u l-Att dwar il-Protezzjoni u l-Privatezza tad-Data Kap. 586 tal-liġijiet ta' Malta u leġislazzjoni sussidjarja relatata, jirregolaw il-ġbir u l-ipproċessar tad-data personali, dik miżmuma elettronikament, u/jew manwalment. RSIRD huwa l-Kontrollur tad-Data psewdonimizzata li sejra tiġi importata fil-Proġett dwar is-Soluzzjoni tad-Data Warehouse. RSIRD sejjer jimxi skont id-disposizzjonijiet tal- Protezzjoni tad-Data Personali kif stabbilit fl-imsemmija leġislazzjoni, kif ukoll kull leġislazzjoni sussegwenti kif ikun il-każ.

L-Għanijiet għall-ġbir tad-data:

a) RSIRD fi ħdan MEYR, jiġbor u jipproċessa data personali psewdonimizzata tal-istudenti rreġistrati mal-Istituzzjonijiet Edukattivi tal-Istat, sabiex ikun jista' jaqdi l-funzjonijiet u l-obbligi legali mogħtija taħt l-awtorità tagħha mill-Att dwar il-Protezzjoni u l-Privatezza tad-Data Kap**.** 586 tal- liġijiet ta' Malta u leġislazzjoni sussidjarja relatata, primarjament, L.S. 586.07, il-GDPR u l-Att dwar l- Edukazzjoni Kap. 605, fejn applikabbli.

b) L-iskop tal-Proġett ta' Riċerka dwar is-Soluzzjoni tad-Data Warehouse huwa li jassisti RSIRD biex janalizza għadd ta' sorsi ta' data edukattiva sabiex ikun jista' jikseb Analiżi Predittiva minn tali data.

ċ) Kull data miġbura għall-iskop tal-Proġett ta' Riċerka dwar is-Soluzzjoni tad-Data Warehouse se tkun psewdonimizzata u eventwalment anonimizzata malli jiskadu l-perjodi taż-żamma msemmija hawn taħt.

Riċevituri tad-data:

L-informazzjoni personali hija aċċessata mill-uffiċjali li huma assenjati li jwettqu l-funzjonijiet fl-RSIRD biex itejbu s-sistema edukattiva f'Malta. Id-data personali tista' tiġi wkoll aċċessata minn, jew hija disponibbli għall-awtoritajiet u għall-Istituzzjonijiet Governattivi waqt li qed jaqdu l-funzjonijiet

tagħhom. Id-data personali tista' tingħata anke lil terzi, li mhumiex imsemmija hawn fuq, permezz ta' kunsens mogħti b'mod espliċitu mis-suġġett tad-data jew jekk dan huwa permess bil-liġi.

Id-Drittijiet Tiegħek:

Dawn id-drittijiet tas-suġġett tad-data jistgħu jiġu ristretti, skont kif provdut fil-Leġislazzjoni Nazzjonali u r-Regolament dwar il-Protezzjoni tad-Data, fejn applikabbli.
Is-suġġetti tad-data għandhom dritt jitolbu li d-data personali tagħhom tiġi emendata, jekk tirriżulta li mhix korretta, jew biex jiksbu restrizzjoni tal-użu tagħha. Is-suġġetti tad-data, f' kwalunkwe żmien jistgħu jirtiraw il-kunsens mogħti u jitolbu li d-data personali tagħhom tiġi mħassra. Tali talbiet huma trattati skont il-każ. L-azzjoni biex tiġi ristretta jew imħassra d-data personali għandha tittieħed immedjatament ħlief jekk id-data personali relattiva hija meħtieġa li tinżamm u tiġi pproċessata mill-Kontrollur minħabba obbligi legali li l-Kontrollur tad-Data għandu. Fl-eventwalità fejn l-irtirar tal-kunsens u t-tħassir tad-data personali jiġi awtorizzat, dan m'għandux jaffettwa l-legalità tal-ipproċessar li diġà sar bil-kunsens li kien ingħata qabel ma' dan jiġi rtirat.

Int (is-Suġġett tad-Data) għandek dritt tkun taf, bla ħlas, x'tip ta' informazzjoni RSIRD (il-Kontrollur tad-Data) qed iżomm u jipproċessa dwarek, ir-raġuni għala qed iżomm l-informazzjoni, min għandu aċċess għaliha, kif qed tinżamm u kif qed tinżamm aġġornata, għal kemm żmien qed tinżamm u x'qed jagħmel RSIRD biex ikun konformi mal-leġislazzjoni dwar il-Protezzjoni u l-Privatezza tad- Data.

Il-GDPR tistabbilixxi proċedura formali li għandha tintuża f'każ li jsiru talbiet għal aċċess ta' informazzjoni mis-suġġetti tad-data. Kull suġġett tad-data għandu d-dritt li jaċċessa kull informazzjoni personali li RSIRD jżomm dwaru, kemm dik miżmuma elettronikament, kif ukoll dik miżmuma manwalment. It-talbiet għal aċċess ta' informazzjoni personali mingħand is-suġġetti tad-data għandhom isiru bil-miktub u jintbagħtu lill-**Uffiċjal tal-Protezzjoni tad-Data, Ministeru għall-Edukazzjoni, L-Isport, Iż-Żgħażagħ, Ir-Riċerka u L-Innovazzjoni (MEYR).** Mat-talba għal dan l-aċċess, għandhom jiġu sottomessi d-dettalji ta' identifikazzjoni, bħan-numru tal-karta tal-identità, l-isem, u l-kunjom. Tali talba tista' tiġi sottomessa, permezz ta' din il-formola online:
https://educationservices.gov.mt/en/resources/Documents/Application%20Forms/MFED_Subject%20Access%20Request%20Form_17-06-2021.pdf

jew tiġi sottomessa personalment. F'każ ta' xi diffikultà dwar l-identifikazzjoni tas-suġġett tad-data, wieħed jista' jintalab jippreżenta d-dokument ta' identifikazzjoni matul il-proċess intern għat-talba għal aċċess, kif ukoll qabel d-data personali tkun provduta. Dokumenti ta' identifikazzjoni għandhom dejjem ikunu ppreżentati meta tingħabar id-data fiżikament, u meta, kif espressament jkun awtorizzat, tingħabar id-data minn terz f'isem is-suġġett tad-data. Sakemm ma tkunx eżentata mil-liġi, talbiet għal aċċess ta' data personali dwar minorenni għandhom jiġu aċċettati biss jekk tiġi ppreżentata prova tal-identità mill-ġenitur jew tal-kustodja legali tal-minuri.

Il-Kontrollur tad-Data (RSIRD) għandu l-għan li jipproċessa t-talbiet għal aċċess għal informazzjoni personali fl-iqsar żmien possibbli kif ukoll li jiżgura li l-informazzjoni tingħata fi żmien raġonevoli u

fi kwalunkwe każ jara li dan isir sa mhux aktar tard minn xahar minn meta saret it-talba. Meta t-talba għal aċċess ma tkunx tista' tiġi pproċessata fi żmien stipulat, sakemm ma jkunx hemm raġuni valida għal aktar dewmien, għandha tintbagħat ittra lis-suġġett tad-data bir-raġuni tad-dewmien. Is-suġġetti tad-data kollha għandhom id-dritt li jitolbu li d-data personali tagħhom tiġi kkorreġuta jew emendata jekk jirriżulta li m'hiex korretta. F'każ fejn ikun hemm xi ksur tal-privatezza tad-data, is-suġġett tad-data għandu jiġi infurmat u l-każ għandu jiġi rrappurtat lill-uffiċċju tal-IDPC fi żmien 72 siegħa minn meta jiġi magħruf il-ksur.

F'każ li m'intix sodisfatt bit-tweġiba li ngħatajt għat-talba tiegħek għal aċċess, korrezzjoni, restrizzjoni jew tħassir tal-informazzjoni personali tiegħek, jew issir taf li sar xi ksur tad-data personali tiegħek, tista' tirreferi l-ilment tiegħek lill-Kummissarju għall-Informazzjoni u l-Protezzjoni tad-Data (IDPC). Id-dettalji ta' kuntatt tiegħu jidhru hawn taħt.

Proċedura dwar iż-żamma tad-Data:

Id-data personali mhux se tinżamm aktar milli hemm bżonn, ħlief jekk dan huwa permess mid-disposizzjonijiet tal-GDPR, tal-Att dwar il-Protezzjoni u l-Privatezza tad-Data Kap. 586, leġislazzjoni sussidjarja, u fejn applikabbli l-Att dwar l-Edukazzjoni Kap. 605 tal-liġijiet ta' Malta u/jew kif provdut f'kull liġi oħra prevalenti f'dak iż-żmien.

It-tabella ta' hawn taħt tiddeskrivi ż-żmien taż-żamma tal-kategoriji varji tad-data li l-Kontrollur tad-Data, RSIRD, għandu fi ħdanu.

Kategorija ta' Dokument	Perjodu ta' Żamma	Ġustifikazzjoni
Informazzjoni ta' reġistrazzjoni tal-Istudenti fl-iskejjel tal-istat, li tinkludi informazzjoni tal-attendenza, il-livelli tal-klassijiet, korsijiet ta' studju, l-ismijiet u l-lokalitajiet tal-iskejjel, is-sess u n-nazzjonalità tal-istudenti, kif ukoll servizzi t'għajnuna offruti mill-iskejjel.	Sakemm l-istudent jagħlaq 24 sena	Biex tanalizza tali informazzjoni matul is-snin bl-għan li tinkiseb statistika informattiva predittiva li tassisti lid-Direttorat biex jidentifika u jgħin tfal f'riskju li ma jkomplux jattendu l-iskola wara l-livell sekondarju, u biex jassisti wkoll l-Istaff Amministrattiv fi ħdan id-Direttorat fit-teħid tad-deċiżjonijiet, regolamenti u proċeduri amministrattivi
Informazzjoni li tindika l-irreġistrar tal-istudenti tal-għall-istipendju fl-iskejjel tal-istat	Sakemm l-istudent jagħlaq 24 sena	L-istess bħal t'hawn fuq
Informazzjoni relatata maċ-ċertifikat tal-profil li jingħataw l-istudenti meta jispiċċaw il-livell sekondarju fl-iskejjel tal-istat.	Sakemm l-istudent jagħlaq 24 sena	L-istess bħal t'hawn fuq

Informazzjoni rigward ir-riżultati tal- MATSEC 'O-Level' fl-iskejjel tal-istat.	Sakemm l-istudent jagħlaq 24 sena	L-istess bħal t'hawn fuq
Informazzjoni tal-'Benchmark' tal-istudenti fis-sitt sena fl-iskejjel tal-istat.	Sakemm l-istudent jagħlaq 24 sena	L-istess bħal t'hawn fuq
Informazzjoni rigward jekk studenti tal-iskejjel tal-istat kinux parti mill-iskema tal-'Good Shephard' jew le.	Sakemm l-istudent jagħlaq 24 sena	L-istess bħal t'hawn fuq
Informazzjoni relatata ma' kisbiet li ntlaħqu fl-'IEP' minn studenti fl-iskejjel tal-istat.	Sena wara li student jispiċċa l-ħdax-il sena skolastika u mbagħad sena wara ma jkunx irreġistrat fi skola tal-istat	L-istess bħal t'hawn fuq

Wara li jiskadi ż-żmien stipulat imsemmi hawn fuq, id-data psewdonomizzata kollha se tiġi anonimizzata, biex hekk ikun żgurat li s-suġġett tad-data ma jibqax identifikabbli.

L-Uffiċjal tal-Protezzjoni tad-Data: jista jiġi kkuntattjat fuq dpo.meyr@gov.mt jew permezz tat-telefown: 25981233
Ministeru għall-Edukazzjoni L-Isport, Iż-Żgħażagħ, Ir-Riċerka u L-Innovazzjoni
Uffiċċju tas-Segretarju Permanenti
Triq l-Assedju l-Kbir, Floriana, VLT 2000

Kontrollur tad-Data - Direttorat għar-Riċerka u l-Evalwazzjoni Internal tal-Iskejjel,
Ministeru għall-Edukazzjoni, L-Isport, Iż-Żgħażagħ, Ir-Riċerka u L-Innovazzjoni (MEYR)
Triq l-Assedju l-Kbir, Floriana, VLT 2000
Telefown: 25982442/3
Imejl: researchandinnovation@ilearn.edu.mt

Il-Kummissarju għall-Informazzjoni u l-Protezzjoni tad-Data
Il-Kummissarju għall-Informazzjoni u l-Protezzjoni tad-Data jista' jiġi kkuntattjat hawnhekk:
2 Livell, Airways House,
Triq il-Kbira,
Tas-Sliema, SLM 1549
Tel: 23287100
Imejl: idpc.info@idpc.org.mt

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Directorate for Research and School Internal Review Directorate (RSIRD) within the Ministry for Education, Sport, Youth, Research and Innovation (MEYR)

Data Protection Policy

In relation to the Data Warehouse Solution Research Project

The General Data Protection Regulation (EU) 2016/697 (GDPR) and the Data Protection Act Cap. 586 of the laws of Malta and subsidiary legislation thereto, regulate the collection and processing of personal data held both electronically and, or in manual form. The RSIRD within the Ministry for Education shall be the Data Controller of pseudonymised data that shall be imported into the Data Warehouse Solution Project. The RSIRD shall comply with the Data Protection provisions as set out in the afore mentioned and any subsequent legislation as the case may be.

Reasons for Collecting Data:

a) The RSIRD within MEYR collects and processes pseudonymised personal data of students registered with State Education Institutions, to carry out its functions and legal obligations vested in its authority by, the Data Protection Act Cap. 586 of the laws of Malta and Subsidiary Legislation thereto, primarily S.L. 586.07, the Data Protection Regulation (GDPR) and the Education Act Cap. 605 where applicable.

b) The purpose of the Warehouse Solution Research Project is to assist RSIRD in analysing various educational data sources to be able to derive Predictive Analyses from such data.

c) All data collected for the purposes of the Warehouse Solution Research Project shall be pseudonymised and eventually anonymised upon the lapse of the retention periods mentioned hereunder.

Recipients of Data:

Personal Information is accessed by the employees who are assigned to carry out the functions of the RSIRD to improve the education system in Malta. Personal data can be accessed by or made available to Government Authorities and Institutions in the course of their functions. Disclosure of personal information can also be made to third parties, not being the foregoing, by an expressly given consent by the data subject or as otherwise permitted at law.

Your Rights:

These rights of the data subject may be restricted, as provided in National Legislation and the Data Protection Regulation, where applicable.

All data subjects have the right to request that their personal data is amended if it results to be incorrect, or to obtain restriction of its use. Data subjects may also withdraw any consent given, at any time, and request that their personal data is erased. Such requests shall be treated on a case by case basis, and shall be immediately complied with unless the relative personal data is required to be kept and processed by the Controller in satisfaction of legal obligations the Controller is obliged to abide with. In the event where withdrawal of consent and the deletion of personal data is authorised this shall not affect the lawfulness of processing that is based on consent before its witdrawal.

You (the Data Subject) are entitled to know, free of charge, what type of information the RSIRD (the Data Controller) holds and processes about you and why, who has access to it, how it is held and kept up to date, for how long it is retained, and what the Data Controller (RSIRD) is doing to comply with data protection legislation.

The GDPR establishes a formal procedure for dealing with data subjects' access requests. All data subjects have the right of access to any personal information kept about them by the RSIRD, either in electronic form or in manual files. Requests for access to personal information by data subjects are to be made in writing and sent to, **The Data Protection Officer, Ministry for Education, Sport, Youth, Research and Innovation**. Your identification details such as identity card number, name and surname have to be submitted with the request for access. Such a request can be submitted through the following online form:

https://educationservices.gov.mt/en/resources/Documents/Application%20Forms/MFED_Subject%20Access%20Request%20Form_17-06-2021.pdf, or else submitted by hand. In case where certain difficulties are encountered, you may be required to present an identification document during the internal processing of the request for access and before personal data is made available. Identification documents are always to be presented when physically collecting data, and when collecting data, as expressly authorised, on behalf of the data subject. Unless otherwise exempted at law, requests for access to personal data concerning a minor shall only be accepted on material proof of parenthood or legal guardianship of the minor being presented.

The Data Controller (RSIRD) aims to comply as quickly as possible with requests for access to personal information and will ensure that it is provided within a reasonable timeframe, and in any case by not later than one month from receipt of request. Unless there is good reason for delay, when a request for access cannot be met within a reasonable time, the reason will be explained in writing to the data subject making the

request. All data subjects have the right to request that their personal data is corrected or amended if it results to be incorrect. Should there be any data breaches, the data subject shall be informed accordingly, and the incident shall be reported to the office of the IDPC within 72 hours of its being discovered.

In case you are not satisfied with the outcome of your access, correction , restriction or deletion requests, or become aware of any breach of personal data in your respect, you may lodge a complaint with the Information and Data Protection Commissioner, (IDPC) whose contact details are provided below.

Retention Policy:

Personal data shall not be retained beyond its intended requirement unless such retention is permitted by the provisions of the GDPR, the Data Protection Act Cap.586, and subsidiary legislation, and where applicable the Education Act, Cap 605 of the laws of Malta and, or as provided in any other law prevailing at the time.

The schedule hereunder specifies the retention requirements of the various categories of data to be retained by Data Controller RSIRD.

Category of Document	Retention Period	Justification
State School Student Registration data which includes attendance data, class/course data, school and household locality data, Gender and Nationality data and School Aid information	Until student turns 24 years	To analyse such information across years with the aim of being able to derive predictive statistical information that will assist the Directorate in identifying and assisting potential Early School Leavers (ESL), and also assisting Administrative Staff within the Directorate in decision and policy making.
Data indicating State School Student Stipend Grant Enrolment	Until student turns 24 years	Same as above
State School Secondary School Leaving Certificate and Profile (SSC&P) Data	Until student turns 24 years	Same as above
MATSEC O-Level Attainment Data	Until student turns 24	Same as above
State School Student Year 6 Benchmark Data	Until student turns 24 years	Same as above

Good Shephard Scheme Data of Students that start attending a State School	Until student turns 24 years	Same as above
State School Student IEP Target Likert Scale achievements	One year after student completes year 11 and is not enrolled in a state school	Same as above

Upon the lapse of the above mentioned timeframes, all pseudonymised data shall be anonymised, thereby ensuring that the data subject would no longer be identifiable.

The Data Protection Officer: may be contacted on dpo.meyr@gov.mt or by telephone: 25981233
Ministry for Education, Sport, Youth, Research and Innovation
Office of the Permanent Secretary
Triq l-Assedju l-Kbir, Floriana, VLT 2000

The Data Controller - Research and School Internal Review Directorate, Ministry for Education, Sport, Youth, Research and Innovation
Triq l-Assedju l-Kbir, Floriana, VLT 2000
Telephone: 25982442/3
Email: researchandinnovation@ilearn.edu.mt

The Information and Data Protection Commissioner

The Information and Data Protection Commissioner may be contacted at:

Level 2, Airways House,
Triq il-Kbira,
Sliema, SLM 1549
Telephone: 23287100
Email: idpc.info@idpc.org.mt