

## Privacy policy

and

### **General information on the implementation of the data protection requirements of Articles 12 to 14 of the General Data Protection Regulation in the professional recognition of professions regulated by state law in the Hamburg Institute for Vocational Education and Training of the Free and Hanseatic City of Hamburg**

Within public administration personal data must be processed. In an administrative procedure, data is personal if it can be assigned to a natural person, an association of persons (e.g. GbR, oHG) or any other legal person, as long as there is a reference to the natural person(s) behind it.

When administrative authorities process personal data, this means that they can use this data e.g. B. collect, save, use, transmit, make available for retrieval or delete.

In the following we will inform you which personal data we collect, from whom we collect it and what we do with this data. We also inform you about your rights in data protection issues and who you can contact in this regard.

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## **1. Who we are?**

Freie und Hansestadt Hamburg / Free and Hanseatic City of Hamburg  
Hamburger Institut für Berufliche Bildung / Hamburg Institute for Vocational Education  
Berufsanerkennung / Recognition of foreign professional qualifications  
Hamburger Straße 131, 22083 Hamburg  
Phone: +49 40 428 63 – 4618 / – 2536  
Fax: +49 40 4279-78880  
E-Mail: [hibb-berufsanerkennung@hibb.hamburg.de](mailto:hibb-berufsanerkennung@hibb.hamburg.de)

## **2. Who are your contacts?**

Questions regarding the content of the professional recognition can be addressed directly to the office listed under item 1.

Questions regarding data protection can be directed to the data protection officer responsible for this authority:

Data Protection Officer, Department V 33

Behörde für Schule und Berufsbildung / Authority for Schools and Vocational Training  
Hamburger Straße 31, 22083 Hamburg  
Phone: +49 40 428 28 – 0.  
E-Mail: [jan.wittig@bsb.hamburg.de](mailto:jan.wittig@bsb.hamburg.de)

## **3. For what purpose and on what legal basis do we process your personal data?**

Applicants who wish to have their foreign professional qualifications recognized as equivalent to one of the professions within our responsibility will receive a notification from us on the assessment of the equivalence based on the data required for the examination (personal professional qualification certificates).

Applied laws for this purpose are:

Professional Qualifications Assessment Act of the Federal State of Hamburg (HmbBQFG)  
Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications

Training and examination regulations of the professions within our responsibility:  
Ausbildungs- und Prüfungsordnung der Berufsfachschule für Kaufmännische Assistenz (APO-KASS); Ausbildungs- und Prüfungsordnung der Fachschulen mit zweijähriger

Ausbildungsdauer der Fachbereiche Technik, Wirtschaft und Gestaltung (APO-FS TWG); Ausbildungs- und Prüfungsordnung der Berufsfachschule für Pflegeassistenz mit Schwerpunkt Haus- und Familienpflege (APO-PA-HuF); Ausbildungs- und Prüfungsordnung der Fachschule für Sozialpädagogik und der Fachschule für Heilerziehungspflege (APO-FSH); Ausbildungs- und Prüfungsordnung der Berufsfachschule für biologisch-technische Assistenz (APO-BTA); Ausbildungs- und Prüfungsordnung der Berufsfachschule für chemisch-technische Assistenz (APO-CTA); Ausbildungs- und Prüfungsordnung der Berufsfachschule für Sozialpädagogische Assistenz (APO-SPA); Ausbildungs- und Prüfungsordnung der Berufsfachschule für Screen Design (APO-SCD); Ausbildungs- und Prüfungsordnung der Berufsfachschule für Technische Kommunikation und Produktdesign (APO-TKP); Ausbildungs- und Prüfungsordnung der Berufsfachschule für Tanz und Tänzerische Gymnastik (APO-TTG)

The legal basis for data processing is Article 6 (1) (e) of the EU General Data Protection Regulation in conjunction with Section 98 (1) of the Hamburg Schools Act (Hamburgisches Schulgesetz - HmbSG).

#### **4. Which personal data do we process?**

In particular, we process the following personal data:

**Personal identification and contact details:** first and last name, address, date and place of birth, email address, telephone number, nationality.

**For the recognition process, we process** subject-specific data such as school leaving certificates, training certificates, study records, curricula or data relevant to exams (subjects and grade overviews), evidence of further education or trainings and certificates of relevant qualifications, evidence of work experience. This is necessary for assessing the equivalence of a professional qualification with a reference occupation in Germany.

If we cannot clarify a matter with your help, we may also collect personal data relating to you by asking third parties (e.g. requests for information from the employer, request an assessment of the vocational school training the occupation etc.).

We can also process publicly available information (e.g. from newspapers, public registers or public notices).

#### **5. How do we process this data?**

Your personal data is stored in the analog and automated administrative processes and used as the basis for further administrative processes. We use technical and organizational security measures to protect your personal data against unintentional or unlawful destruction, loss or modification as well as against unauthorized disclosure or access. Our security standards always correspond to the latest technological developments.

## **6. Under what conditions may we pass on your data to third parties?**

We are only allowed to pass on all personal data that have become known to us in an administrative procedure to other persons or bodies (e.g. to health insurers, pension insurance providers) if you have consented to the disclosure or the disclosure is legally permitted.

In individual cases it may be necessary that the documents you have submitted to prove your qualifications have to be sent to the vocational school that is training the reference occupation for assessment. The data processing is then based on Art. 6 Paragraph 1 lit. e GDPR in conjunction with § 98 Section 1 HmbSG.

## **7. How long do we store your data?**

If necessary, we process and store your personal data for the required or legally prescribed duration; Data that is no longer required will be deleted immediately (unless otherwise stipulated by law). We are subject to retention and documentation obligations resulting from the legal requirements of the file order of the authority for schools and vocational training (“Aktenordnung der Behörde für Schule und Berufsbildung”). According to this, main files are to be kept for 10 to 30 years.

## **8. What rights do you have?**

You have various rights under the General Data Protection Regulation. Details can be found in Articles 15 to 18 and 21 of the General Data Protection Regulation.

### **Right to provision of information**

You can request information about your personal data processed by us. In your request for information, you should specify your request in order to make it easier for us to compile the necessary data. For this reason, information on the specific administrative procedure and the status should be given in the application.

### **Right to rectification**

If the information relating to you is not (no longer) correct, you can request a correction. If your data is incomplete, you can request it to be completed.

### **Right to cancellation**

You can request the deletion of your personal data. Your right to erasure depends, among other things, on whether the data relating to you are still required by us to fulfil our legal tasks.

### **Right to restriction of processing**

You have the right to request that the processing of the data relating to you be restricted. The restriction does not prevent processing if there is an important public interest in the processing.

## **Right to object**

You have the right to object to the processing of your data at any time for reasons that arise from your particular situation. However, we cannot comply with this if there is an overriding public interest in the processing or if a legal provision obliges us to process it.

## **Right to Complain**

If you are of the opinion that we have not or not fully complied with your request, you can file a complaint with the data protection supervisory authority:

Der Hamburgische Beauftragte für Datenschutz und Informationsfreiheit  
The Hamburg Commissioner for Data Protection and Freedom of Information  
Ludwig-Erhard-Straße 22, 20459 Hamburg  
Tel.: (040) 4 28 54 - 40 40  
E-Fax: (040) 428 54 - 4000  
E-Mail: [mailbox@datenschutz.hamburg.de](mailto:mailbox@datenschutz.hamburg.de)

## **General information on these rights**

In some cases we may not be able to respond to your request. If this is legally permissible, we will inform you of the reason for the refusal.

We will always respond within one month of receipt of your request. Should we take longer than a month for a final clarification, you will receive an intermediate message.