



Benguet State University

La Trinidad, Benguet



DATA PRIVACY NOTICE

Approved by
the Board of Regents
under BOR Res. No. 156, s.2020

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Responsible Office	Data Protection Officer
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Control No.	Website

A. INTRODUCTION.

The BENGUET STATE UNIVERSITY (BSU) is a chartered public institution of higher learning with a four-fold mandate: instruction, research, extension, and production. In the course of its pursuit of those mandates and by its very nature, BSU processes (i.e. collect, record, organize, store, update or modify, retrieve, use, consolidate) both personal and sensitive personal information (collectively called herein as “personal data”). These include personal particulars (name, age, address, sex, race, religious or philosophical affiliation, contact information, family relations), employment history, government ID details, business interests and assets, among others.

BSU respects your privacy and thus, values the confidentiality of your personal data. All personal data collected shall be generally treated as confidential and shall be protected. Disclosure and sharing of your personal data may be done only as permitted by law, rules or regulations. Personal information, at the hands of the wrong people, may be endanger the rights of a data subject. It is for this reason that this General Privacy Notice is promulgated by the University.

This Notice is formulated in accordance with Republic Act No. 10173, otherwise known as the Data Privacy Act of 2012, and issuances of the National Privacy Commission and of general application within the entire University. It aims to achieve the twin purposes of the law: to safeguard privacy rights as well as ensuring free flow of information to promote innovation and growth.

Thus, this document details how we collect, use, store and protect your personal data. As a potential student, employee, contractor, service provider, supplier, partner, or other client of the University you are considered a data subject. Please read this document to ensure informed consent.

B. WHAT PERSONAL DATA IS. Personal data refers to all types of:

1. **Personal information** – “any information, whether recorded in a material form or not, from which the identity of an individual is apparent or can be reasonably and directly ascertained by the entity holding the information, or when put together with other information would directly and certainly identify an individual;”
2. **Sensitive personal information** – “personal information about an individual’s race, ethnic origin, marital status, age, color, religious/philosophical/political affiliations, health, education genetic or sexual life, legal proceedings, government issued identifiers and other information specifically established by an executive order or an act of congress to be kept classified;” and
3. **Privileged information** – “any and all forms of information which, under the Rules of Court and other pertinent laws, constitute privileged communication, such as, but not limited to, information which a person authorized to practice medicine, surgery or obstetrics may have acquired in attending to a patient in a professional capacity.”

C. OUR PURPOSE FOR PROCESSING DATA.

In general, we process your personal data for documentation and processing purposes as required by our mandates, and in pursuit of our legitimate operations and business as a public institution of higher learning.

Specifically, we process your personal data for the following purposes:

1. **Students.** Personal data shall be processed solely in connection with your admission into the University, residency, access to and use of university electronic services and mobile applications or other transactions with the university. Once admitted your personal data will be updated, revised or amended to reflect your academic progress or change in circumstances with or without your consent. We recognize that we have an obligation to maintain and preserve the confidentiality of your school records.

Such personal data shall be used by us to contact you regarding BSU's services and products, or for related official publication or posting purposes. BSU may also use your personal data for study, research, and survey or statistical purposes for the continuous improvement of its services and deliverables.

2. **Job Applicants.** Your Personal data shall be processed in order to initiate the application process. When you are not hired your personal data shall be removed from the records of the university and all documents returned to you as provided for by the University's Merit Selection Plan. These may be retained for future selection processes only upon your written consent. If you are hired, your personal data shall be processed as provided below.
3. **Employees.** When you become an employee of BSU, we create and maintain a 201 File containing your personal data. The 201 File otherwise referred to as Personal File is a folder containing records pertaining to an employee's personal and sensitive personal information, normally in document and electronic form, required by law to be established, maintained and ultimately disposed of by the University.

Such data shall be maintained and updated in compliance with our legal obligations under existing rules and regulations and that of other government agencies such as the CSC, DBM, CHED, and BIR. These shall be stored and retained in accordance with pertinent rules and regulations governing public employee records and the University's Records Management System.

Your personal data shall be used by BSU to contact you regarding its services and products, for contractual obligations, or for official publication or posting purposes. BSU may also use your personal data for study, research, survey and statistical purposes for the continuous improvement of its services and deliverables.

4. **Contractors and Suppliers.** The processing of your personal data shall be in compliance to the university's legal obligations under the procurement law (R.A 8292) and its implementing rules and regulations, and as shall be required by issuances of the Government Procurement Policy Board. Your data shall be retained by the university upon your express consent and only as long as shall be necessary. Unused personal data shall be removed from the university and returned to you.
5. **Other Data Subjects.** The processing of your personal data shall be limited only to what is required by the purpose for which your personal data is being collected such as, but not limited to, information, contractual obligations, research, study or statistical analysis. Said purpose shall be made known to you before the processing of your personal information.

D. HOW WE PROCESS PERSONAL DATA.

1. We process data in accordance with the Philippine Data Privacy Act of 2012 (Republic Act No. 10173) and its Implementing Rules and Regulations, other issuances of the National Privacy Commission (NPC), and such other applicable laws, rules and regulations on data processing. We adhere to the generally accepted privacy principles of transparency, legitimate purpose, and proportionality.

2. We obtain personal data from you in the following manner:
 1. when you accomplish, fill out or submit an application, form, request or other document that contains personal data that you freely and voluntarily entered therein;
 2. when you enter into any form of contract or written agreement with the university for business or partnerships, to avail of or to render some service;
 3. when you access, browse, visit, or use any of our university websites, platforms, social media or other online presence;
 4. when such data are contained in a document provided the university whether directly by you or through another person or entity; or
 5. when you voluntarily disclose personal information for research or study purposes intended for a public benefit.

A **Data Privacy Consent Form** shall be presented for your action before any processing of your personal data. This shall form part of the documentation of the office you are transacting with.

3. **Personal data processing for research purposes** is allowed when your personal data is publicly available, or has your consent. *Provided*, that the research is intended for a public benefit and that it be subject to the requirements of applicable laws, regulations, or ethical standards. *Provided further*, that the researcher complies with any code of ethics or any rules and regulations on research issued and implemented by institutions involved in research. *Provided, finally*, that adequate safeguards are in place, and no decision directly affecting you shall be made on the basis of the data collected or processed.

E. SCOPE AND METHOD OF PROCESSING.

BSU utilizes both standard manual and computerized methods and systems to process data. These are undertaken consonant to the principles set out in this notice and as required by law.

F. HOW WE SECURE PERSONAL DATA.

Appropriate safeguards and procedures protect the integrity, availability, and confidentiality of your personal data. These shall be kept secure in whatever form they are processed: physical, digital or electronic. We have and are continually implementing technological, organizational and physical security measures to protect your personal data from loss, misuse, unauthorized modification, unauthorized or accidental access or disclosure, alteration or destruction. We strictly implement information security policies and access is restricted only to authorized, responsible personnel of the University. Our personal data processors and users shall be bound by a "**Confidentiality Agreement**" otherwise known as a non-disclosure Agreement.

Though we shall adopt and implement a data privacy policy for the University, we shall ensure that the different units of the University that process personal data shall have separate data privacy guidelines tailored to their own specific functions to safeguard the integrity and dignity of personal data processed by them.

G. HOW AND WHEN WE DISCLOSE PERSONAL DATA.

Any disclosure of your personal data shall be made only when permitted by law, some rule or regulation. We may disclose personal information to satisfy our legal obligations under existing law, rules or regulations or valid governmental request; enforce applicable terms of

service; prevent or mitigate fraud, security or technical issues; or protect against imminent harm to the rights, safety or property of the university or its clients as required or permitted by law.

We also have a **Freedom of Information Manual**, formulated under Executive Order No. 2, Series of 2016 issued by Pres. Rodrigo R. Duterte in July 23, 2016, that outlines how and when personal information may be disclosed.

H. HOW AND WHEN WE SHARE PERSONAL DATA.

As a general rule, we can share personal data only with other regulating and supervising government agencies in compliance with the University's legal obligations and as will allow audits, reviews, and diligence compliance with other government agencies but only to the extent as required by said obligation. Data sharing with other third parties is proscribed except where these are covered by Data Sharing Agreements. Sharing and disclosure will then be limited only to the declared purpose of such agreements.

I. HOW WE STORE PERSONAL DATA.

We store personal data in both physical and digital forms in physical document storage facilities and data centers on campus. All units of the University that stores or handles personal data are required to implement physical, technical, and organizational security measures to guarantee the safe storage of personal information and to ensure that such is used only by authorized personnel for legitimate purposes.

J. HOW LONG WE RETAIN PERSONAL DATA.

The period of use, storage and retention of your personal data shall be dependent on their classification, form and nature as determined by the Records and Archives Management System (RMS) of the University in consultation with the National Archives of the Philippines, and for as long as they are relevant to the purpose and other legitimate interests of the University. Otherwise, they will be disposed of in a manner that will protect your privacy.

Subject to applicable laws, rules and regulations, you may request your personal data to be deleted from the University's systems, databases and hard copies within a reasonable requested date.

K. WHAT YOUR RIGHTS ARE AS A DATA SUBJECT.

Under the DPA, you have the following rights as a data subject:

1. **Right to be informed.** You have the right to be informed whether personal data pertaining to him or her shall be, are being, or have been processed, including the existence of automated decision-making and profiling.

You shall be notified and furnished with information indicated hereunder before the entry of his or her personal data into the processing system of the personal information processor, or at the next practical opportunity:

- a. Description of the personal data to be entered into the system;
- b. Purposes for which they are being or will be processed, including processing for direct marketing, profiling or historical, statistical or scientific purpose;
- c. Basis of processing, when processing is not based on the consent of the data subject;
- d. Scope and method of the personal data processing;
- e. The recipients or classes of recipients to whom the personal data are or may be disclosed;

- f. Methods utilized for automated access, if the same is allowed by the data subject, and the extent to which such access is authorized, including meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject;
 - g. The identity and contact details of the personal data processor;
 - h. The period for which the information will be stored; and
 - i. The existence of their rights as data subjects, including the right to access, correction, and object to the processing, as well as the right to lodge a complaint before the Commission.
2. **Right to object.** You have the right to indicate your refusal to the processing of your personal data. Once you have notified us of the withholding of your consent, further processing of your personal data will no longer be allowed, unless:
 - a. The processing is required pursuant to a subpoena, lawful order, or as required by law; or
 - b. The collection and processing is undertaken pursuant to any lawful basis or criteria or where the data is not covered by the DPA.
3. **Right to access.** You may be given access to or a copy of your personal data upon your request. You also have the right to request access to the circumstances relating to the processing and collection of your personal data, insofar as allowed by law. We may charge you a small fee for this service.
4. **Right to rectification.** You have the right to request us to immediately correct any inaccuracy or error in your personal data or to complete the information you believe is incomplete. Upon your request, and after correction has been made, we will inform any recipient of your personal data of its inaccuracy and the subsequent rectification that was made.
5. **Right to erasure or blocking.** In the absence of any other legal ground or overriding legitimate interest for the lawful processing of your personal data, or when there is substantial proof that your personal data is incomplete, outdated, false, or has been unlawfully obtained, you may request us to suspend, withdraw, or order the blocking, removal, or destruction of your personal data from our filing system. We may also notify those who have previously received your processed personal data.
6. **Right to data portability.** In case your personal data was processed through electronic means and in a structured and commonly used format, you have the right to obtain a copy of your personal data in such electronic or structured format, subject to the guidelines of the National Privacy Commission with regard to the exercise of such right.
7. **Transmissibility of rights.** We wish to advise you that upon the death of a data subject, or in case of incapacity or inability to exercise legal rights, the data subject's lawful heirs and assigns may invoke such rights in his/her place.
8. **Limitation on rights; manner of exercise.** The rights mentioned under this item are not applicable if personal data are processed only for scientific and statistical research purposes, and without being used as basis for carrying out any activity or taking any decision regarding you as the data subject. Your rights as a data subject are also subject to other limitations provided by law. It is required that you exercise your rights as described in this Notice in a reasonable and non-arbitrary manner, and with regard to rights of other parties.

All requests, demands or notices which you may make under this Notice or applicable law must be made in writing and will only be considered received when done so by the University Data Protection Officer.

L. WE HAVE A DATA PROTECTION OFFICER.

Should you have any inquiries, feedback, and/or complaints, you may reach the University's Data Protection Officer (DPO). The Data Protection Officer (DPO) is the individual principally responsible for ensuring the university's compliance with the laws, rules and regulations for the protection of data privacy and security. The DPO is responsible, likewise, for the supervision and enforcement of this Policy. The relevant contact details are as follows:

DATA PROTECTION OFFICER
2/F, Main Administration Building
Benguet State University, La Trinidad 0201
Benguet, Philippines
Email: dpo@bsu.edu.ph; Landline: (074) 422-2176

COMPLIANCE OFFICERS FOR PRIVACY (COP)	
BSU, Bokod Campus	BSU, Buguias Campus
Daclan, Bokod 2605, Benguet	Loo, Buguias 2607, Benguet
Contact No. 0912-250-0169	Contact No. 0919-924-0941
Email: h.lino@bsu.edu.ph	Email: gracita.pne@gmail.com


M. EFFECTIVITY.

This Data Privacy Notice requires the approval of the University's Board of Regents. Pending such action, it shall nevertheless become operational once adopted by the University Administrative Council and endorsed to the Board of Regents for final action.

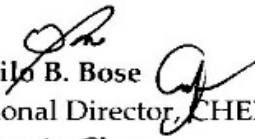
Any amendments, revisions, or supplements thereto shall be effective once approved by the University President upon the endorsement of the DPO and the University Administrative Council with notice to the Board of Regents.

CERTIFICATION

I CERTIFY that this Data Privacy Notice was presented to and adopted by the University Administrative Council in February 26, 2020 under **AdCo Res. No. 003, s. 2020**. I CERTIFY, further, that it was approved by the University Board of Regents during their meeting of October 22, 2020 through **BOR Res. No. 156, s. 2020**.


Grace T. Bengwayan
University and Board Secretary

Attested:


Danilo B. Bose
Regional Director, CHED-CAR
Officer-in-Charge
Office of the University President