

The University of Texas at Arlington

EU GDPR Lawful Basis Form

Introduction

Beginning May 25, 2018, some of UTA's activities will be subject to more stringent regulations governing the use of personal data. The European Union General Data Protection Regulation, or "GDPR", imposes new obligations on entities that control or process personal data about people while they are in the European Union ("EU").

EU countries currently include: https://europa.eu/european-union/about-eu/countries_en

Personal data is any information relating to an identified or identifiable person either directly or indirectly, including but not limited to: name, photo, email address, identification number such as UTA ID#, physical address or other location data, IP address or other online identifier, etc.

UTA has prepared this GDPR Lawful Basis questionnaire to document the business reasons for collecting or processing personal data about people while they are in the EU. This form will guide your department to determine which information it is able to collect and when consent is necessary, and what notice you must provide. Keep a record in the department's files and send a copy to Shelby Boseman at the email below.

Should you have any questions about this form, please contact University Attorney, Shelby Boseman, at sboseman@uta.edu

Information Stewardship

Business Area:

(options: Student, Financials, HR, Research, Academic, etc.)

Business Department:

(examples: Undergraduate Admissions, Accounts Payable, Payroll, Parking)

Data Steward Name (Person or Title Collecting Information):

Data Steward Email Address:

Data Trustee Name (Person or Employee Title Maintaining/Preserving Information):

Data Trustee Email Address:

If you are filling out this form on behalf of a Data Steward or Data Trustee, please provide your name and email address:

Questions

Q1

How does your department receive personal data about/from people while they are located in the EU?

- From individuals themselves
- From third-party(ies)
- From both individual and third-party(ies)
- The department does not receive personal data about people while they are located in the EU.

If the department receives no personal data you can stop here, no further action is required.

Q2 (If Q1 is "From third-party" or "From both individual and third-party")
Please list below the third-parties from whom you receive personal data.

Please separate third-party names with semicolons.

Q3

Is your office deleting the personal data it collects or processes at the end of the appropriate UTA Records Retention time period?

Find UTA Records Retention time periods here:

<https://www.uta.edu/legalaffairs/rim/retention-schedules.php>

- Yes
- No
- I need someone to contact me about Records Retention

Q4

For what business purpose(s) does your office collect or process personal data about people while they are located in the EU?

Please separate business purposes with semicolons.

Q5

Can you meet the business purpose(s) listed in your response to the prior question without the use of all such personal data collected?

Yes

No

If Yes, update data collection practice to not request/collect the unnecessary personal data.

Q6

Can the data subject opt out of the collection and processing of the personal data while still meeting the business purpose(s) for collecting the personal data?

Yes

No

Q7

Are you using the personal data for any reason(s) other than the reason(s) for which it was originally collected?

Yes

No

Q8 (If Q7 is Yes)

Please describe the type of personal data collected, the reason it was originally collected, and the type of continued use/processing that is different than the reason such personal data was initially collected.

Please separate types of personal data with semicolons.

Q9

Have you taken steps to ensure that the personal data collected/processed is the minimum necessary and that all information so collected and processed is secure via encryption or other privacy enhancing technologies?

- Yes
- No
- I need someone to contact me about privacy enhancing technologies

Q10 (If Q9 is Yes)

Please describe the data security measures utilized.

Please separate data security measures with semicolons.

Q11

Does your office share with other UTA units any of the personal data you collect or process from people while they are located in the EU?

Yes

No

Q12

Does your office share with third-parties any of the personal data you collect or process from people while they are located in the EU?

Yes

No

Q13 (If Q12 is Yes)

Please name the third-parties with whom you share personal data.

Please separate third-party names with semicolons.

Q14

Do any of your websites collect personal data from visitors - either automatically (cookies, IP addresses, Google Analytics) or through forms filled out by visitors?

Yes

No

Do not have a website

Q15

Do you link to the UTA Legal and Privacy Notice on your website homepage?

See UTA Legal & Privacy Information Notice: <http://www.uta.edu/legalaffairs>

- Yes
- No
- Do not have a website

Your website must include a link to the UTA Legal and Privacy Notice if you collect personal information. If you collect information using paper forms your form must also refer to the UTA Legal and Privacy Notice

Q16

Does your office collect, store, or use any of the following types of **sensitive personal data** about people while they are located in the EU?

Check as many as apply, or check "None"

- Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Genetic or biometric data
- Health data
- Data concerning a person's sex life or sexual orientation
- Trade union memberships
- Criminal convictions or offenses
- None - Do not collect sensitive personal data

If None then you do not need to take further action to obtain written consent.

Q17 (If Q16 is **not** None)

For what business purpose(s) does your office collect or process **sensitive personal data** about people while they are located in the EU?

Please separate business purposes with semicolons.

Q18 (If Q16 is **not** None)

Can you meet the business purpose(s) listed in your response to the prior question without the use of all such **sensitive personal data** collected?

Yes

No

If Yes, update data collection practice to not request/collect the unnecessary personal data.

Q19 (If Q16 is **not** None)

Can the data subject opt out of the collection and processing of the **sensitive personal data** while still meeting the business purpose(s) for collecting the **sensitive personal data**?

Yes

No

Q20 (If Q16 is **not** None)

Do you get affirmative written consent from the person before you collect this type of **sensitive personal data**?

Yes

No

To collect sensitive personal data affirmative written consent is required. Refer to the Sample Consent Form.
