

# Privacy Policy

Quality Assurance and Compliance Unit -Student Feedback Instrument



**POLICY # EAAS/2024/240262**  
**Adopted by the Senate on July 15, 2024**

## **European Academy of Advanced Studies (EAAS)**

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113 MINDO, TRIQ L-IMDINA  
QORMI, QRM 9016, MALTA [www.eaas.mt](http://www.eaas.mt)

## 1. Introduction

The European Academy of Advanced Studies (EAAS) is committed to protecting the privacy of its students, applicants, staff, and website visitors. This Privacy Policy explains what personal data we collect, why we collect it, the lawful basis on which we rely, how long we keep it, with whom we share it, and the rights you hold over it.

It is issued to satisfy Articles 13 and 14 of the General Data Protection Regulation (EU) 2016/679 (GDPR) and the Data Protection Act (Chapter 586 of the Laws of Malta). It is the outward-facing notice given to you as a data subject. The internal EAAS Data Protection Policy, which governs how our staff handle personal data, sits alongside it and is a linked policy under the General Academic Regulations.

Because EAAS delivers its programmes wholly online, some of the processing described here — platform logs, live-session recordings, remote proctoring – has no equivalent at a campus institution. Those activities are described explicitly in Sections 9 and 10.

## 2. Who We Are and How to Contact Us

|                                |                                                                             |
|--------------------------------|-----------------------------------------------------------------------------|
| <b>Data controller</b>         | European Academy of Advanced Studies (EAAS)                                 |
| <b>Address</b>                 | 113 Mindo, Triq l-Imdina, Qormi, QRM 9016, Malta                            |
| <b>General enquiries</b>       | info@eaas.mt                                                                |
| <b>Data Protection Officer</b> | dpo@eaas.mt                                                                 |
| <b>Supervisory authority</b>   | Information and Data Protection Commissioner (IDPC),<br>Malta - idpc.org.mt |

Any question about this Policy, or any request to exercise your rights, should be addressed to the Data Protection Officer at [dpo@eaas.mt](mailto:dpo@eaas.mt).

## 3. Who This Policy Covers

- **Applicants and students.** Prospective, current, and former students, including alumni and those whose applications were unsuccessful.
- **Staff.** Academic, administrative, and technical personnel, including visiting lecturers and external examiners.
- **Website and platform visitors.** Anyone who visits [www.eaas.mt](http://www.eaas.mt) or accesses the Virtual Learning Environment.
- **Third parties.** Referees, emergency contacts, partners, and service providers whose data we hold in connection with our activities.

## 4. Personal Data We Collect

| Category | Examples |
|----------|----------|
|----------|----------|

|                                     |                                                                                                                                                                                                                         |
|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Identification data</b>          | Name, date of birth, nationality, identity or passport number, postal and email address, telephone number.                                                                                                              |
| <b>Academic data</b>                | Prior educational history, transcripts, MQRIC statements, RPL claims, study-unit registrations, marks, feedback, progression and award decisions.                                                                       |
| <b>Category</b>                     | <b>Examples</b>                                                                                                                                                                                                         |
| <b>Financial data</b>               | Tuition payments, invoices, bank or card details processed through our payment provider, scholarship and fee adjustment records.                                                                                        |
| <b>Technical data</b>               | IP address, device and browser type, operating systems, VLE access logs, cookie identifiers.                                                                                                                            |
| <b>Learning and engagement data</b> | Moodle activity logs, Big Blue Button session attendance, submission timestamps, forum contributions, engagement analytics.                                                                                             |
| <b>Assessment integrity data</b>    | of Turnitin similarity reports, identity-verification images, proctoring recordings and flags, declarations of AI use.                                                                                                  |
| <b>Communication records</b>        | Emails, helpdesk tickets, survey responses, recordings of live teaching sessions in which you participate.                                                                                                              |
| <b>Special category data</b>        | Health or disability information supplied to arrange reasonable adjustments; data revealing health supplied in support of a mitigating-circumstances claim; data disclosed in a harassment or discrimination complaint. |

Special category data (Section 4, final row) receives heightened protection. We process it only where an Article 9 condition applies, we restrict access to named staff with an operational need, and we do not use it for analytics or profiling.

## 5. How We Collect It

- **Directly from you.** Application forms, RPL claims, enrolment records, correspondence, surveys, assessment submissions, and support requests.
- **Automatically.** Cookies, server and VLE logs, live-session attendance records, and analytics tools, when you use our platforms.
- **From third parties.** Awarding institutions and MQRIC

when verifying qualifications; payment processors; partner institutions; referees you nominate.

## 6. Why We Process It, and on What Lawful Basis

We process your data only where a lawful basis under Article 6 applies, and, for special category data, where an additional condition under Article 9 applies.

| Purpose                                                  | Lawful basis                                    | Notes                                                                      |
|----------------------------------------------------------|-------------------------------------------------|----------------------------------------------------------------------------|
| <b>Admissions, including RPL assessment</b>              | Steps before entering a contract (Art. 6(1)(b)) | Refusal to supply required data may prevent assessment of the application. |
| <b>Delivery of teaching, supervision, and assessment</b> | Performance of a contract (Art. 6(1)(b))        | Includes VLE access and live sessions.                                     |

| <b>Maintaining the academic record;</b>                                               | Legal obligation (Art. 6(1)(c)); public interest (Art. 6(1)(e)) | Retained under MFHEA requirements.                                                 |
|---------------------------------------------------------------------------------------|-----------------------------------------------------------------|------------------------------------------------------------------------------------|
| Purpose                                                                               | Lawful basis                                                    | Notes                                                                              |
| <b>issuing transcripts, certificates, and the Diploma Supplement</b>                  |                                                                 |                                                                                    |
| <b>Assessment integrity: originality screening, identity verification, proctoring</b> | Legitimate interests (Art. 6(1)(f))                             | Balanced against your rights; an alternative arrangement is available (Section 9). |
| <b>Fee collection and financial administration</b>                                    | Contract (Art. 6(1)(b)); legal obligation (Art. 6(1)(c))        | Statutory accounting retention applies.                                            |
| <b>Regulatory reporting to MFHEA and other authorities</b>                            | Legal obligation (Art. 6(1)(c))                                 | Required under national statutory obligations and quality assurance frameworks.    |

|                                                                      |                                                                                |                                                                                      |
|----------------------------------------------------------------------|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| <b>Quality assurance, programme review, institutional statistics</b> | Legitimate interests (Art. 6(1)(f))                                            | Reported in aggregated or pseudonymized form wherever possible.                      |
| <b>Learning analytics and student support</b>                        | Legitimate interests (Art. 6(1)(f))                                            | Outputs are advisory; see Section 10.                                                |
| <b>Grievances, appeals, and disciplinary matters</b>                 | Legal obligation; legitimate interests (Art. 6(1)(c), (f))                     | Processed in accordance with internal dispute frameworks and regulatory obligations. |
| <b>Reasonable adjustments and mitigating circumstances</b>           | Substantial public interest (Art. 9(2)(g)); or explicit consent (Art. 9(2)(a)) | Special category data; access strictly limited.                                      |
| <b>Marketing, newsletters, and alumni communications</b>             | Consent (Art. 6(1)(a))                                                         | You may withdraw consent at any time.                                                |
| <b>Non-essential cookies and analytics</b>                           | Consent (Art. 6(1)(a); ePrivacy)                                               | Set only after you accept them.                                                      |

Where we rely on legitimate interests, we have carried out a balancing assessment, which you may request from the Data Protection Officer. Where we rely on consent, you may withdraw it at any time without affecting the lawfulness of processing already carried out.

## 7. Who We Share It With

| <b>Recipient</b>                 | <b>Purpose</b>                                                                                                            |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| <b>IT and platform providers</b> | Hosting of the VLE (Moodle), live-session delivery (Big Blue Button), email, and storage, underwent processor agreements. |
| <b>Turnitin</b>                  | Originality screening of submitted work.                                                                                  |

|                                           |                                                                                 |
|-------------------------------------------|---------------------------------------------------------------------------------|
| <b>Online proctoring provider</b>         | Identity verification and invigilation of remote assessment, where applied.     |
| <b>Payment processors</b>                 | Processing tuition payments. EAAS does not store full card details.             |
| <b>MFHEA and MQRIC</b>                    | Accreditation, regulatory reporting, and recognition of foreign qualifications. |
| <b>External examiners and moderators</b>  | Scrutiny of assessed work, under confidentiality undertakings.                  |
| <b>Educational partners</b>               | Where you participate in a joint or collaborative arrangement.                  |
| <b>Professional advisers and auditors</b> | Legal, accounting, and audit services.                                          |
| <b>Public authorities</b>                 | Where disclosure is required by law.                                            |

We do not sell personal data, and we do not share it with third parties for their own marketing purposes. Every processor act on our documented instructions under a written agreement meeting Article 28.

## 8. International Transfers

Some of our processors are established outside the European Economic Area. Where personal data is transferred outside the EEA, we rely on one of the following safeguards:

- an adequacy decision of the European Commission in respect of the destination country;
- Standard Contractual Clauses adopted by the Commission, supplemented where necessary by additional technical and organisational measures identified through a transfer impact assessment; or
- another mechanism permitted by Chapter V of the GDPR.

You may request a copy of the safeguards applied to any specific transfer by contacting the Data Protection Officer. Because our students study from many jurisdictions, we note that your own access to our platforms from outside the EEA does not by itself constitute a transfer by EAAS.

## 9. Online Assessment, Proctoring, and Recording

- **Originality screening.** Summative submissions are screened through Turnitin. A similarity report is never determinative on its own; a human academic reviews every flagged case before any finding is made.

- **Identity verification and proctoring.** Where remote proctoring is applied, you are told in advance which assessment is affected, what is captured, and how long it is kept. Recordings are retained for 30 days unless an integrity case is opened, in which case they are retained until the case and any appeal conclude.
- **Data protection impact assessment.** Because proctoring involves systematic monitoring and, where facial matching is used, biometric data, EAAS carries out a data protection impact assessment under Article 35 before deploying it, and reviews that assessment whenever the technology or its configuration changes.
- **Alternative arrangements.** If you raise a substantiated objection to proctoring on privacy grounds, EAAS offers an alternative form of assessment, such as a supervised oral examination. Exercising this option does not disadvantage you.
- **Recording live sessions.** Live teaching sessions may be recorded. You are informed before recording begins. Recordings are made available to students in the study-unit and are not published or redistributed.

## 10. Learning Analytics and Automated Decision-Making

EAAS uses engagement and learning analytics to identify students who may benefit from additional support, and to improve programme design.

- Analytics outputs are advisory. A member of academic staff reviews them and they are never, on their own, the basis of a decision that produces legal effects or similarly significant effects for you.
- No decision on assessment, progression, classification, discipline, or award is taken by automated means alone. Every grade released to you is reviewed and owned by a named human marker.
- AI-assisted tools may support marking and feedback but do not replace academic judgement, and student work is not entered into any tool that fails to meet our data protection requirements.
- You may object to the use of your data for analytics by contacting the Data Protection Officer. Objection does not affect your access to teaching or assessment.

## 11. How Long We Keep It

We retain personal data only for as long as necessary for the purposes described in this Policy, or for such longer period as the law requires.

| Record                                                                   | Retention period                       | Basis                                                 |
|--------------------------------------------------------------------------|----------------------------------------|-------------------------------------------------------|
| <b>Core academic record: awards, marks, progression, transcript data</b> | 40 years from the end of study         | MFHEA guidance on record retention; legal obligation. |
| <b>Admissions and RPL files of enrolled students</b>                     | 7 years after graduation or withdrawal | Legitimate interests; audit.                          |



|                                                               |                                                    |                                                                   |
|---------------------------------------------------------------|----------------------------------------------------|-------------------------------------------------------------------|
| <b>Admissions files of unsuccessful applicants</b>            | 2 years from decision                              | Appeal window and audit.                                          |
| <b>Financial and accounting records</b>                       | 10 years                                           | Maltese accounting and tax law.                                   |
| <b>Record</b>                                                 | <b>Retention period</b>                            | <b>Basis</b>                                                      |
| <b>Assessment scripts and submitted coursework</b>            | 12 months after the award is confirmed             | Appeals and external examination.                                 |
| <b>Proctoring recordings and identity-verification images</b> | 30 days, unless a case is opened                   | Data minimisation; extended only where an integrity case is live. |
| <b>Recordings of live teaching sessions</b>                   | Duration of the study unit plus 12 months          | Educational access.                                               |
| <b>VLE and server logs, technical data</b>                    | 12 months                                          | Security and analytics.                                           |
| <b>Grievance, appeal, and disciplinary files</b>              | 7 years from conclusion                            | Legal claims and institutional review.                            |
| <b>Marketing contact data</b>                                 | Until consent is withdrawn, reviewed every 2 years | Consent.                                                          |

At the end of a retention period, data is securely deleted or anonymised. The core academic record is retained for 40 years so that we can verify your qualification long after graduation; this is the only category we retain for such an extended period, and it is held under restricted access.

## 12. How We Protect It

- **Encryption:** Data is encrypted in transit and at rest.
- **Access control:** Access is granted on the least privileged basis to named staff with an operational need and is logged and reviewed.
- **Authentication:** Institutional accounts require strong authentication; credentials are personal and must not be shared.
- **Assurance:** We conduct security assessments, penetration testing, backup verification, and staff training, and we impose equivalent obligations on our processors.
- **Governance:** We maintain a Record of Processing Activities under Article 30 and apply data protection by design and by default.



### 13. Personal Data Breaches

If a personal data breach occurs, EAAS will assess the risk without undue delay. Where the breach is likely to result in a risk to your rights and freedoms, we notify the Information and Data Protection Commissioner within 72 hours of becoming aware of it. Where the risk is high, we notify you directly and without undue delay and tell you what has happened and what steps to take. All breaches, whether notifiable or not, are recorded internally.

### 14. Your Rights

| Right                | What it means                                                                  | Limits                                                                                                                          |
|----------------------|--------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| <b>Access</b>        | Obtain confirmation that we process your data and a copy of it.                | Third-party data may be redacted.                                                                                               |
| Right                | What it means                                                                  | Limits                                                                                                                          |
| <b>Rectification</b> | Have inaccurate or incomplete data corrected.                                  | Does not extend to disputing an academic mark, which follows the appeals route.                                                 |
| <b>Erasure</b>       | Have data deleted where it is no longer necessary or was processed unlawfully. | Does not apply to the core academic record, which we must retain.                                                               |
| <b>Restriction</b>   | Have processing paused while a dispute is resolved.                            | Does not apply where processing is required for legal claims, protecting another person's rights, or important public interest. |
| <b>Portability</b>   | Receive data you supplied, in a machine-readable format.                       | Applies to data processed on consent or contract, by automated means.                                                           |

|                         |                                                                                                          |                                                                   |
|-------------------------|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| <b>Objection</b>        | Object to processing based on legitimate interests, including analytics.                                 | We may continue where compelling grounds override your interests. |
| <b>Withdraw consent</b> | Withdraw consent at any time, for marketing or non-essential cookies.                                    | Does not affect processing already carried out.                   |
| <b>Complain</b>         | Lodge a complaint with the IDPC (idpc.org.mt), or with the supervisory authority where you live or work. | You may do so without contacting us first.                        |

To exercise any right, contact [dpo@eaas.mt](mailto:dpo@eaas.mt). We will respond within one month and may extend that period by up to two further months for complex requests, telling you why. We may ask you to verify your identity. There is no charge, unless a request is manifestly unfounded or excessive.

You always have the right to lodge a complaint with the Information and Data Protection Commissioner, whether you have raised the matter with us first.

## 15. Cookies and Similar Technologies

When you first visit our website, a consent banner allows you to accept or reject each category of non-essential cookie. You may change your choice at any time through the cookie settings link in the site footer. Rejecting non-essential cookies does not restrict your access to teaching or assessment.

| Type                         | Purpose                                                       | Consent required     |
|------------------------------|---------------------------------------------------------------|----------------------|
| <b>Strictly necessary</b>    | Authentication, session management, security, load balancing. | No — set by default. |
| <b>Functional</b>            | Remembering language, accessibility, and display preferences. | Yes.                 |
| <b>Analytics/performance</b> | Understanding how the website and VLE are used, in aggregate. | Yes.                 |
| <b>Marketing</b>             | Measuring campaigns and delivering targeted communications.   | Yes.                 |

Strictly necessary cookies are set without consent because the service cannot be provided without them. All other categories are set only after you have given consent, in accordance with the ePrivacy rules and the GDPR standard of consent.

## **16. Children's Data**

EAAS programmes are offered to applicants aged 18 and over, and our services are not directed at children. If we learn that we have collected personal data from a person under 16 without an appropriate basis, we will delete it.

## **17. Related Policies**

This Policy should be read together with the EAAS Data Protection Policy; the Ethics Policy; the Student Code of Conduct Policy; the Academic Integrity, AI, Online Assessment and VLE Use Policy; the Student Grievances and Redressal Policy; and the General Academic Regulations. Where those documents impose obligations on members of the EAAS community, this Policy explains the corresponding rights of data subjects.

## **18. Review and Version Control**

- This Policy is maintained by the Data Protection Officer, who advises the Senate / Academic Council on its content.
- It is reviewed at least annually, and whenever there is a material change in processing, a new technology is deployed, a supervisory authority issues relevant guidance, or the law changes.
- Amendments are approved by the Senate / Academic Council. Material changes are notified to students and staff directly, not merely posted on the website.
- The current version is published at [www.eaas.mt](http://www.eaas.mt) and on the student portal.