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**REGULATION ON THE PROTECTION OF PERSONAL DATA
UNIVERSITY EMPLOYEES**

**SHYMKENT UNIVERSITY QUALITY MANAGEMENT SYSTEM THE
PROVISIONS of the UNIVERSITY 01- 06- 2023**

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1. APPLICATION AREA

1.1 This Regulation establishes the procedure for obtaining, accounting, processing, accumulation and storage of documents containing information related to the personal data of Shymkent University employees.

1.2 The Regulation is a normative document that forms the academic policy of Shymkent University and the internal quality assurance system, all structural units are required to comply with the requirements of the Regulation.

2. REFERENCE DOCUMENTS

2.1 1 The Law of the Republic of Kazakhstan "On Education" dated October 24, 2011 No. 487- VI (with amendments and additions as of 10.07.2023 No. 19-VIII).

2.2 The Labor Code of the Republic of Kazakhstan dated November 23, 2015 No. 414-V (with amendments and additions as of 04.07.2023 15-VIII of the Law of the Republic of Kazakhstan).

2.3 The Charter of the University;

2.4 Academic Policy Of The University.

3. NAMES, DEFINITIONS AND ABBREVIATIONS

SHU- Shymkent University

4. DESCRIPTION OF THE PROCEDURE

4.1 General provisions


4.1.1 The purpose of this Regulation is to protect employees' personal data from unauthorized access. Personal data is always confidential, strictly protected information.

4.2 The basic concepts and composition of the employee's personal data

4.2.1 Personal data of an employee means information about an employee that is necessary for an employer in connection with an employment relationship and related to a specific employee. They also include information about the facts, events and circumstances of the employee's life, allowing to identify his identity.

4.2.2 The composition of the employee's personal data:

- questionnaire;
- autobiography;
- information and copies of educational documents;
- information about employment and general seniority;
- information about the previous place of work;
- information about the composition of the family;
- passport details;
- information about military registration;
- information about social benefits;
- specialty;
- current position;
- the amount of salary;
- criminal record;
- address of registration and place of residence;
- home and mobile phone numbers;
- the place of work or study of family members and relatives;
- the content of the employment contract;
- originals and copies of personnel orders;
- personal files and workbooks of employees;

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- grounds for orders;
- cases containing materials on professional development and retraining of employees, their certification, and internal investigations;
- copies of reports sent to the statistical authorities;
- the results of a medical examination regarding the suitability of employees to perform their work duties;
- photos;
- other information that can be attributed to the employee's personal data.

4.3 Requirements for processing employee's personal data

4.3.1. The employee's personal data belongs to the category of confidential information reflecting the personal, family, and private lives of citizens, part of which is their work and social life. Confidentiality, safety and protection of personal data are ensured by classifying them as official and/or professional secrets.

4.3.2. In order to ensure the safety and confidentiality of personal data of university employees, all operations related to the registration, formation, maintenance and storage of this information should be performed only by university employees who carry out this work in accordance with their official duties, fixed in job descriptions.

4.3.3. When processing employee's personal data, the employer is obliged to comply with the following requirements:


1. The processing of personal data of an employee is carried out in order to ensure compliance with laws and other regulatory legal acts, to assist employees in employment, training and promotion, and to ensure the personal safety of employees;
2. The volume and content of the employee's personal data being processed are determined in accordance with the Constitution of the Republic of Kazakhstan, the Labor Code of the Republic of Kazakhstan, this Regulation and other regulatory legal acts;
3. Personal data is provided by the employee personally;
4. The employer has no right to demand information from the employee about his political, religious and other beliefs and private life;
5. The employer has no right to demand information from the employee about his membership or activities in public associations, including professional unions;
6. When making decisions affecting the interests of an employee, the employer does not have the right to rely on the employee's personal data obtained as a result of their automated processing or electronically;
7. The protection of the employee's personal data is provided by the employer in accordance with the procedure established by the legislation of the Republic of Kazakhstan.

4.4. Storage of employee's personal data

4.4.1 The procedure for storing personal data of employees at the University is established by this Regulation in compliance with the requirements established by the legislation of the Republic of Kazakhstan.

4.4.2 Personal files and documents with the status of personal data of an employee are stored in lockable cabinets (safes) that provide protection against unauthorized access.

4.4.3 Computers and computer programs, electronic databases containing personal data of employees are protected by individual access passwords.

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4.5 Transfer of employee's personal data

4.5.1. The holder of personal data of employees is the personnel service of the University.

4.5.2. When transferring employee's personal data, the employer must comply with the following requirements:

1. Not to disclose, including verbally, the employee's personal data to a third party without the employee's written consent;

2. Not to disclose the employee's personal data for commercial purposes without the employee's written consent;

3. To allow access to personal data only to specially authorized persons on the basis of a written request and confirmation of the authority to access the requested information. At the same time, these persons should have the right to receive only those personal data of the employee that are necessary to perform specific functions, and observe the confidentiality regime;

4. To warn the persons receiving the employee's personal data that these data can only be used for the purposes for which they are reported, and to require these persons to confirm that this rule has been observed. Persons who have received the employee's personal data are required to comply with the secrecy (confidentiality) regime, they are warned about this in writing;

5. Notify about the transfer of the employee's personal data to a third party within ten working days unless otherwise provided by the laws of the Republic of Kazakhstan;

6. Transfer personal data of an employee within the university according to the rules provided for in this Regulation: personal files of employees may be issued to the rector and heads of departments.

7. The transfer of personal files to the rector, as well as the receipt of personal files from the rector, is carried out from hand to hand by the person responsible for storing personal files.

8. The transfer of personal files through secretaries (assistants, assistants) is not allowed;

9. Before transferring personal files to the workplace of the head of the security service, their registration is carried out in the "Journal of transfer of personal files of university employees to the Department of Personnel Management. The fact of the transfer of personal files is certified by the signatures of the transmitting and receiving parties. Personal files can be found at the workplace only during working hours, at 17.45 h. all personal files must be handed over to the place of their permanent storage.


10. The withdrawal and/or replacement of documents stored in the personal file, as well as the modification and/or correction of the data contained therein are prohibited;

11. Personal data of university employees may be provided to security specialists only upon written request indicating the reasons for requesting personal data of the employee. If the reason for requesting the employee's personal data is not obvious, unreasonable or illegal, then the employee's personal data will not be issued. The decision to issue personal data of an employee to officials of structural divisions is made by the rector;

12. Heads of structural divisions can only get acquainted with the personal files of employees directly subordinate to them. Familiarization with personal files is carried out in the room where they are stored, in the presence of an employee responsible for the management and safety of personal files. Heads of structural divisions are not allowed to access the reference and information database and other personnel documentation.

4.5.3 The persons to whom the employee's personal data has been transferred are obliged to use them exclusively for the purposes for which they were provided. They may not be transferred to third parties, except in cases established by the laws of the Republic of Kazakhstan.

4.5.4 The employee's personal data may be provided to relatives or family members only with the written permission of the employee himself.

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4.5.5 Responses to written requests from third-party organizations and institutions are provided with the written consent of the employee on the official letterhead of the university. At the same time, the organization (institution) requesting this information must confirm its competence with the regulatory framework of the Republic of Kazakhstan for the right to receive the requested information.

The specialist responsible for providing answers to requests from third-party organizations (institutions) is obliged not to disclose an excessive amount (the amount not specified in a written request) of personal data about university employees.

4.5.6 It is not allowed to answer questions related to the transfer of personal data of employees by phone, in the presence of third parties or in any other way that violates the employee's rights to personal data protection.

It is prohibited to transfer information containing information about the personal data of university employees to third parties by phone, fax, or e-mail.

4.5.7 When issuing a certificate from the place of work or other documents containing personal data, it is necessary to verify the identity of the employee (citizen) to whom this certificate is issued.

4.6 Employee's rights in order to ensure the protection of personal data stored by the employer

4.6.1. In order to ensure the protection of personal data stored by the employer, university employees have the right to:

1. Free access to their personal data (including personal file), including the right to receive copies of records containing personal data of the employee, except in cases provided for by the laws of the Republic of Kazakhstan;
2. Exclusion or correction of incorrect or incomplete personal data, as well as data processed in violation of the requirements of the Labor Code of the Republic of Kazakhstan;
3. The requirement for the employer to notify persons who have previously been informed of incorrect or incomplete personal data of the employee about the corrections made in them;
4. Other actions provided for by the Labor Code of the Republic of Kazakhstan.

4.7 Employee's obligations to provide their personal data to the employer

4.7.1 If any changes/additions have occurred in the employee's personal data, he is obliged to inform the employer about them within five working days from the moment of their occurrence.

4.7.2. The employee provides the employer with information about the change/addition of his personal data in the following order:

1. An employee sends a letter to the e-mail address of an employee of the personnel Management Department stating that his personal data has been changed/supplemented and requests that appropriate corrections be made;
2. An employee must attach a document(s) confirming the change/addition of his/her personal data to an e-mail sent to the Personnel Management Department.


4.7.3. On the basis of a letter received from an employee with a request to make changes/additions to his personal data and a confirmation document attached to this letter, a specialist of the personnel management department makes the necessary changes to the employee's personal data.

4.8. The procedure for an employee's access to his personal data stored by the employer

4.8.1. In order to gain access to their personal data, the employee must contact the department.

4.8.2. The employee's appeal (request) regarding access to his personal data is submitted to the employer in writing or in the form of an electronic document or in any other way using elements of protective actions that do not contradict the legislation of the Republic of Kazakhstan;

The employer shall provide information related to the employee within three working days from the date of receipt of the employee's request, unless other terms are provided for by the laws of the Republic of Kazakhstan.

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In case of refusal, he provides a reasoned response within a period not exceeding three working days from the date of receipt of the request, unless other terms are provided for by the laws of the Republic of Kazakhstan, free access to his personal data (including personal file), including the right to receive copies of records containing personal data of the employee, except in cases provided for by laws The Republic of Kazakhstan;

4.8.3 The personal data requested by the employee is not. they are provided to him by phone and are not sent by e-mail.

4.9. Responsibility for disclosure of information related to employee's personal data

4.9.1. Persons guilty of violating the norms governing the receipt, processing and protection of personal data of an employee shall bear disciplinary, administrative, civil or criminal liability in accordance with the legislation of the Republic of Kazakhstan.