Overview of legal bases for processing personal data in the HR area

The purpose of data processing
Aarhus University processes personal data for payroll and other employment administrative purposes.

The legal basis for processing this data is contained in General Data Protection Regulation Article 6(1) (b), (c) and (e) and Article 9(2) (b).

Types of employee data
Some types of data are related to payment of salary and other data is related to access to IT systems and physical access to buildings, while other data relates to the tasks employees perform, such as the minutes of meetings or email addresses.

The types of employee data registered by the university are:
Name, civil registration number, address, salary seniority, collective bargaining agreement, employment contract, job advertisement, application with attachments including curriculum vitae, minutes from SDD dialogues, holiday days taken/remaining, special holidays and any childcare days, minutes from salary negotiations, citizenship, days of absence due to illness, access cards, electronic equipment, keys, physical location, parking permits.

The types of employee data that may be registered by the university, where relevant, include, for example:
List of publications, maternity/paternity leave, adoption and parental leave, childcare days, absence due to illness in connection with reimbursement, minutes from any sickness absence interviews, minutes from any disciplinary meetings and any disciplinary sanctions, work permits, special offices (positions of trust), shift scheduling, any record of working hours, free-choice pension scheme, senior staff scheme, increased tax rate, mileage allowance, free telephone, withholding of pay by the Danish Customs and Tax Administration, booking of house in the Holiday Fund, psychologist counselling scheme, course registrations, size of work clothes and shoes, identification photograph.

Disclosure of personal data
Aarhus University only discloses personal data in cases where there is a legal basis for doing so.

This may include, for example, disclosure of information about income to the Danish Customs and Tax Administration as well as information about absence due to illness, in cases of applications for municipal reimbursement. The disclosure of personal data to government agencies and institutions has as its legal basis in the General Data Protection Regulation Article 6(1)(e).

The university will disclose required personal data to the union organisation authorised to negotiate (union representative) in connection with salary negotiations. This disclosure has as its legal basis in General Data Protection Regulation Article 6(1)(c).

The CPR number and sensitive personal data will not be disclosed to the union organisation/union representative authorised to negotiate unless the employee expressly consents to this. The legal basis for this is General Data Protection Regulation Article 6(1)(a) and Article 9(2)(a).
Disclosure of employee data to private enterprises will only occur with the employee’s express consent, see General Data Protection Regulation Article 6(1)(a). This may include personality test data, for example.

The university obtains data from the employees themselves, from the National Registration Office, from the Danish Customs and Tax Administration and from municipal authorities.

Data from employees themselves is obtained with a legal basis in General Data Protection Regulation Article 6(1)(b).

Data from the National Registration Office, from the Danish Customs and Tax Administration and from municipal authorities is obtained with a legal basis in General Data Protection Regulation Article 6(1)(c).

Following a specific case assessment, the university may decide to obtain criminal records in connection with recruitment, just as the university may obtain a statement of no previous convictions in respect of children for employees who, as part of their work, will have direct contact with children and young people under 15 years of age.

The obtaining of criminal records and statements of no previous convictions in respect of children is done with a legal basis in General Data Protection Regulation Article 10, see Article 6(2) and (3)(b), see the Executive Order on the Processing of Personal Data in the Central Criminal Register.