

Handling of sensitive student information at Diaconia University of Applied Sciences

1. HANDLING OF SENSITIVE INFORMATION

Act 932/2014, Section 40 (available in Finnish and Swedish)

Applicants' and students' health information under Sections 27 and 34–37 may be handled by such persons only who prepare or make decisions or give opinions on student selection, cancellation of the right to study, reinstatement of the right to study, and disciplinary action.

Information of students' criminal records extracts under Section 33 may be handled by such persons only who prepare or make decisions on cancellation of the right to study.

The university of applied sciences must specify the duties that require handling sensitive information.

At Diak, the right to handle sensitive information in all circumstances belongs to the rector and the vice rector.

In addition, according to the circumstances, this right may belong to:

- the Board: disciplinary action
- head of education: disciplinary action
- head of student affairs: disciplinary action, criminal records extract, drug testing, student health information
- study guidance counselor: disciplinary action, criminal records extract, drug testing, student health information

- student counselor: disciplinary action, criminal records extract, drug testing, student health information
- public health nurse: drug testing, student health information
- site security officer: disciplinary action
- study office staff: criminal records extract, disciplinary action
- admissions services: health information relevant to admission
- lecturer in charge of practical training, working-life supervisor: drug testing, disciplinary action

2. STORAGE OF SENSITIVE INFORMATION

Act 932/2014, Section 40 (available in Finnish and Swedish)

A polytechnic must keep sensitive information separate from other personal information. Sensitive information must be deleted from registers immediately after grounds cease to exist for keeping it in order to conduct statutory duties and in any case no later than four years after the entry. All personal information must be handled in accordance with the Personal Data Act 523/1999 unless otherwise provided for in Act 932/2014.

Storage and handling of sensitive documents

- Sensitive documents are stored, classified as secret, in the document management system Dynasty.
- The right to read these documents is given to the rector, the vice rector, the key users of the Dynasty system, and persons separately specified as having reading rights to certain individual documents.
- The person in charge of a particular matter is marked in Dynasty as the rapporteur.
- When a matter is being prepared, the estimated storage time of documentation is specified if possible. In other cases, the storage time is set at four years.
- The rapporteur is in charge of deleting documentation after the required storage time is over.

3. RIGHT TO OBTAIN SENSITIVE INFORMATION

Act 932/2014, Section 34 (available in Finnish and Swedish)

Notwithstanding confidentiality regulations, the university of applied sciences is required to provide the National Supervisory Authority for Welfare and Health, Valvira, with the information necessary for Valvira to carry out its statutory duties; such information may deal with proceedings to cancel the right to study, the cancellation of a student's right to study, the decision to transfer a student to another programme of studies, or the justifications for such decisions.

Act 932/2014, Section 35 (available in Finnish and Swedish)

Notwithstanding confidentiality regulations, the university of applied sciences is required to provide the National Supervisory Authority for Welfare and Health, Valvira, with the information necessary for Valvira to carry out its statutory duties; such information may also deal with the reinstatement of a student's right to study or the justifications for such decisions.

Act 932/2014, Section 65 (available in Finnish and Swedish)

Notwithstanding confidentiality regulations, a possessor of information concerning a student's health and functioning capability is entitled to provide this information for a party that needs it to carry out its statutory duties:

1. the rector and security officer in order to ensure safety during studies
2. persons in charge of study counselling in order to guide a student to other studies or support services
3. persons in charge of student health services in order to ensure a student's health and safety and to guide the student to required support activities
4. persons in charge of practical training in order to ensure the safety of the student as well as that of the staff and clients at the practical training site
5. the police and the school representative in charge of sorting out threats to safety in order to assess an immediate threat to safety and when a student's health assessment has declared the student to present a danger to the safety of others.

A Diak representative in charge of a certain matter may disclose information on the grounds above after consultation with the rector or the vice rector.

Disclosing of information by Diak to external parties (such as the police, practical training site, student health services) takes place through official outgoing mail.

The members of the Board receive the confidential documentation relating to a matter up for Board decision in a registered letter sent through Diak's official outgoing mail. The members of the Board handle these documents as confidential and destroy them after the Board has issued its decision.