

ISTANBUL KÜLTÜR UNIVERSITY

POLICY ON THE PROTECTION AND PROCESSING OF PERSONAL DATA

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Table of Contents

1. INTRODUCTION	2
1.1. Objective of the Policy	2
1.2. Scope of the Policy	2
1.3. Enforcement and Amendment	2
2. REFERENCES.....	3
3. DEFINITIONS	3
4. DATA SUBJECTS, PURPOSES FOR PROCESSING OF PERSONAL DATA AND DATA CATEGORIES.....	5
4.1. Data Subjects Included in İKÜ Privacy Act Policy	5
4.2. Purposes for Processing of Personal Data	6
4.2.1. General Purposes for Processing of Personal Data of the Employees	6
4.2.2. General Purposes for Processing of Personal Data Other Than Personal Data of the Employees	9
5. OPERATIONS PERFORMED REGARDING PROCESSING OF PERSONAL DATA.....	11
5.1. Operations	11
5.2. Personal Data Categories.....	12
5.2.1. Personal Data Categories for Employees	12
5.2.2. Personal Data Categories for Others.....	14
6. PRINCIPLES AND CONDITIONS FOR PROCESSING OF PERSONAL DATA	17
6.1. Principles for Processing of Personal Data	17
6.2. Conditions for Processing of Personal Data.....	17
6.3. Conditions for Processing of Sensitive Personal Data	19
7. TRANSFER OF PERSONAL DATA.....	20
8. PROVIDING CLARIFICATION TO THE EMPLOYEES AND THE RIGHTS OF THE EMPLOYEES	22
9. DELETION, DISPOSAL OR ANONYMIZATION OF THE PERSONAL DATA OF THE EMPLOYEES	24
10. RESTRICTIONS REGARDING THE SCOPE AND ENFORCEMENT OF THE LAW	24
11. USE OF COOKIES	25

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

1. INTRODUCTION

1.1. Objective of the Policy

As Law no. 6698 on the Protection of Personal Data (the “Law” or the “Privacy Act”) entered into force on April 7th, 2016, this Policy aims to provide clarifications on the operations performed regarding processing of personal data by Istanbul Kültür University (“İKÜ” or the “Institution”) in line with applicable laws and regulations as well as providing information on the systems adopted for the protection of personal data within the scope of this Istanbul Kültür University Policy on the Protection and Processing of Personal Data (“İKÜ Policy as per the Law on the Protection of Personal Data” or “İKÜ Privacy Act Policy”). Within this scope, this Policy aims to define the principles to be followed for ensuring legal compliance and the fulfillment of the obligations regarding the protection and processing of personal data by Istanbul Kültür University, especially regarding the protection and processing of the personal data of our students, student candidates, graduates, employee candidates, employees, officials, visitors as well as the employees, shareholders and officials of the institutions that we cooperate and those of third persons.

1.2. Scope of the Policy

This Policy defines the conditions for processing of personal data and the main principles for processing of personal data as adopted by Istanbul Kültür University.

This Policy is applicable to all personal data processed through automatic means or provided that such personal data is part of any data recording system, through non-automatic means, of our students, student candidates, graduates, employee candidates, employees, officials, visitors as well as the employees, shareholders and officials of the institutions that we cooperate and those of third persons.

The scope of this Policy regarding the categories of personal data owners listed in the above categories may be applicable as a whole (e.g. our graduates who are also our visitors) or it may only be applicable for some provisions (e.g. those exclusively applicable to our visitors).

Within this scope, İKÜ Privacy Act Policy is applicable to all personal data processing operations performed by Istanbul Kültür University and personal data within the scope of the Law.

1.3. Enforcement and Amendment

This İKÜ Privacy Act Policy is published on Istanbul Kültür University website, www.ikü.edu.tr/kvkk. Istanbul Kültür University reserves the right to make changes to İKÜ Privacy Act Policy in line with the legislative regulations. In case of any contradiction between the Law and the provisions of this İKÜ Privacy Act Policy, the provisions of the regulations in force shall be applicable.

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

2. REFERENCES

Law on the Protection of Personal Data numbered 6698, dated March 24th, 2016, published in the Official Gazette with issue number: 29677 and dated April 7th, 2016 as well as other applicable regulations.

3. DEFINITIONS

The definitions contained in this İKÜ Privacy Act Policy are provided in the table below:

Term	Definition
Explicit Consent	Received from/given by the data subject of its own free will, specific to a certain subject matter, and provided in the form of an informed consent.
Anonymization	Rendering personal data impossible to be associated with an identified or identifiable natural person in any manner whatsoever even through matching such personal data with other data.
Application Form	“Application Form Regarding Applications to the Data Controller by the Data Subject (Personal Data Owner) as per Law no. 6698 on the Protection of Personal Data”, containing the application to be submitted in order for such personal data owners to exercise their rights, and defining the method of the application, for which a link is provided above within the scope of this Policy.
Employee	Any natural person who is an employee of Istanbul Kültür University.
Employee Candidate	Any natural person who is not an employee of Istanbul Kültür University, but who has the status as an employee candidate.
Personal Health Data	Any kind of health data of an identified or identifiable natural person.
Personal Data	Any kind of personal data of an identified or identifiable natural person.
Personal Data Owner	Any natural person whose personal data are processed.
Processing of Personal Data	Any operation performed on personal data such as collection, recording, storage, retention, alteration, re-organization, disclosure, transfer, taking over, making retrievable, classification or preventing the use thereof, fully or partially through automatic means or provided that such personal data are part of any data recording system, through non-automatic means.
Law	Law no. 6698 on the Protection of Personal Data, published in the Official Gazette with issue number: 29677 and dated April 7 th , 2016.
Sensitive Personal Data	Personal data relating to the race, ethnic origin, political opinion, philosophical belief, religion, sect or other beliefs, clothing, membership to associations, foundations or trade unions, health, sexual life, criminal convictions and

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

	security measures as well as biometric and genetic data are deemed to be sensitive personal data.
Policy	Istanbul Kültür University Policy on the Protection and Processing of Personal Data
Institution / Istanbul Kültür University / İKÜ	Istanbul Kültür University of the Republic of Turkey
Processing of Personal Data	Any operation performed on personal data such as collection, recording, storage, retention, alteration, re-organization, disclosure, transfer, taking over, making retrievable, classification or preventing the use thereof, fully or partially through automatic means or provided that such personal data are part of any data recording system, through non-automatic means.
Business Associates	Any natural or legal person acting as a business associate based on contractual relationships within the scope of the business activities of Istanbul Kültür University.
Data Subject	Any natural person whose personal data are processed.
Data Processor	Any natural or legal person who processes personal data on behalf of the Data Controller upon its authorization.
Data Controller	Any natural or legal person who determines the purposes and means of processing of personal data and responsible for the management of data recording system on which such personal data are systematically retained.

İSTANBUL KÜLTÜR

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

4. DATA SUBJECTS, PURPOSES FOR PROCESSING OF PERSONAL DATA AND DATA CATEGORIES

4.1. Data Subjects Included in İKÜ Privacy Act Policy

Data subjects included within the scope of İKÜ Privacy Act Policy are as follows:

4.1.1. It consists of all employees of Istanbul Kültür University, whose personal data are processed by Istanbul Kültür University. Within this scope, the personal data subjects consist of lecturers and academic members, visiting lecturers and academic members, permanent staff lecturers and academic members, and all administrative staff.

4.1.2. It consists of any natural person other than the employees of Istanbul Kültür University, whose personal data are processed by Istanbul Kültür University. Within this framework, general categories of data subjects are as follows:

DATA SUBJECT CATEGORY		DEFINITION
1	Students	Natural persons who study in Istanbul Kültür University.
2	Student Candidates	Natural persons who have submitted an application in order to study in Istanbul Kültür University.
3	Grad Students	Natural persons who have successfully completed their studies in Istanbul Kültür University.
4	Special (Guest) Students	Students from other higher education institutions, who study in our university as a guest student.
5	Visitors	Natural persons who visit the premises and the website of Istanbul Kültür University.
6	Employees	Visiting lecturers and academic members, permanent staff lecturers and academic members, lecturers and academic

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

		members paid an hourly rate per course hour, and all administrative staff, employed in Istanbul Kültür University.
7	Employee Candidate	Natural persons such as lecturers and academic members who have submitted an application in order to be employed in Istanbul Kültür University.
8	Third Persons	Natural persons except for those included in the categories of data subjects and the employees of Istanbul Kültür University as listed above.

4.1.3. The categories of data subjects contained in this Policy are provided in general for reference purposes. The fact that the data subject is not included in any of such categories shall not disqualify the status of such data subject as provided in the Law.

4.2. Purposes for Processing of Personal Data

4.2.1. General Purposes for Processing of Personal Data of the Employees

Your personal data and sensitive personal data may be processed by Istanbul Kültür University in compliance with the conditions for processing of personal data for the following purposes:

PRIMARY PURPOSES	SECONDARY PURPOSES
Performance of necessary activities and the relevant business processes by our business units so as to ensure that the relevant persons (i.e. the data subject) benefit from the services provided by our Institution.	<ul style="list-style-type: none"> ● Planning and performance of the procedures for the management of the relationship between the Institution and the students; ● Following up requests and complaints; ● Following up contractual procedures and legal claims; and ● Planning and performance of granting the students authorization to access information.

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

<p>Ensuring legal, technical and commercial / business safety of the Institution and relevant persons having business relations with the Institution</p>	<ul style="list-style-type: none"> ● Planning and performance of operational activities required for the activities of the Institution to be conducted in compliance with the institutional procedures and applicable regulations; ● Planning and performance of occupational health and safety procedures; ● Ensuring that the personal data are accurate and up-to-date ● Providing information to competent authorities as required by applicable regulations ● Ensuring the security of the campuses, premises, and facilities of the Institution ● Creation and following up visitor records ● Ensuring the security of the operations of the Institution ● Ensuring the security of the inventories (i.e. fixtures and fittings etc.) and assets of the Institution ● Following up legal affairs ● Planning and performance of the audit activities of the Institution
<p>Planning and performance of human resources policies and procedures of the Institution</p>	<ul style="list-style-type: none"> ● Procedures for the performance of obligations arising out of the contract of employment and applicable regulations concerning the employees ● Following up and supervision of the work activities of the employees ● Planning of the human resources procedures ● Planning and performance of the procedures for internal assignment, promotion, and termination of the contract of employment ● Planning and performance of granting authorization to the employees to access information ● Planning and performance of corporate communication intended for employees and corporate social responsibility activities and activities of non-governmental organizations, in which the employees participate ● Planning and performance of skill and career development activities ● Planning and following up performance evaluation procedures ● Planning and performance of fringe benefits and other benefits for employees ● Planning and performance of the procedures for employees to leave their job ● Planning and performance of the acceptance and evaluation of the suggestions by the employees on the improvement of the procedures adopted by the Institution ● Salary and payroll management and ● Planning and performance of employee satisfaction and commitment procedures

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

<p>Performance of the required operations and carrying out the relevant business processes by the relevant business units to ensure provision of the activities conducted by the Institution</p>	<ul style="list-style-type: none"> ● Planning and Performance of Business Activities ● Planning and Performance of Corporate Communication Activities ● Following up Financial and Accounting Operations ● Planning and Performance of the Activities for Ensuring Business Continuity ● Efficiency Management ● Planning, Supervision, and Performance of Information Security Procedures ● Creation and Management of the Infrastructure for Information Technologies ● Planning and Performance of Institutional Management Operations ● Planning, Supporting, and Performance of Research and Development Activities
<p>Planning and performance of the operational, commercial, and business strategies of the Institution</p>	<ul style="list-style-type: none"> ● Planning and Performance of External Educational Activities ● Management of the Relationship with Business Associates and Suppliers ● Performance of Strategic Planning Activities ● Planning and Performance of the Activities of Distance Education Center
<p>Planning and performance of the activities required for making available, offering, and promotion of the programs and services by the Institution to the relevant persons</p>	<ul style="list-style-type: none"> ● Planning and Performance of the Programs and Services of the Institution ● Planning and Performance of the Procedures for Creation and Improvement of Commitment to the Institution ● Planning and Performance of Institutional Satisfaction Activities ● Planning and Performance of the Marketing Procedures for the Programs and Services of the Institution

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

4.2.2. General Purposes for Processing of Personal Data Other Than Personal Data of the Employees

Your personal data and sensitive personal data may be processed by Istanbul Kültür University in compliance with the conditions for processing of personal data as provided in the Law and applicable regulations for the following purposes:

PRIMARY PURPOSES	SECONDARY PURPOSES
Performance of necessary activities and the relevant business processes by our business units so as to ensure that the relevant persons benefit from the services provided by our Institution.	<ul style="list-style-type: none">● Planning and performance of grad student affairs management● Planning and performance of the procedures for the management of the relationship between the Institution and the students● Following up contractual procedures and legal claims● Planning and performance of student internship activities● Following up requests and complaints● Planning and performance of granting the students authorization to access information
Performance of the required operations and carrying out the relevant business processes by the relevant business units to ensure provision of the activities conducted by the Institution	<ul style="list-style-type: none">● Planning and performance of business activities● Efficiency management● Planning and performance of corporate communication activities● Planning of information security procedures● Creation and management of the infrastructure for information technologies● Planning and performance of the activities for ensuring business continuity● Creation and management of the infrastructure for information technologies● Planning, supervision, and performance of information security procedures
Planning and Performance of Human Resources Policies and Procedures of the Institution	<ul style="list-style-type: none">● Planning of human resources procedures● Performance of the obligations arising out of the contract of employment and applicable regulations for Employees, Academic Members, and Lecturers● Following up and supervision of the work activities of the Employees, Academic Members, and Lecturers● Planning and performance of corporate communication intended for Employees, Academic Members, and Lecturers and corporate social responsibility activities and activities of non-governmental organizations, in which the Employees, Academic Members, and Lecturers participate

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

	<ul style="list-style-type: none"> ● Planning and performance of fringe benefits and other benefits for Employees, Academic Members, and Lecturers ● Management of human resource allocation ● Planning and following up Performance Evaluation procedures ● Planning and performance of the procedures for Employees, Academic Members, and Lecturers to leave their job ● Planning and performance of Employee, Academic Member, and Lecturer satisfaction and commitment procedures ● Planning and performance of the acceptance and evaluation of the suggestions by the Employees, Academic Members, and Lecturers on the improvement of the procedures adopted by the Institution
Planning and Performance of the Operational, Commercial, and Business Strategies of the Institution	<ul style="list-style-type: none"> ● Planning and performance of the activities of distance education center ● Planning and performance of the programs and education provided by the Institution in terms of the scope and the contents ● Management of the Relationship with Business Associates and Suppliers
Ensuring legal, technical and commercial / business safety of the Institution and relevant persons having business relations with the Institution	<ul style="list-style-type: none"> ● Ensuring the security of the campuses, premises, and facilities of the Institution ● Creation and following up visitor records ● Providing information to competent authorities as required by applicable regulations ● Planning and performance of occupational health and safety procedures ● Ensuring the security of the campuses, premises, and facilities of the Institution ● Ensuring the security of the operations of the Institution ● Ensuring the security of the inventories (i.e. fixtures and fittings, etc.) and assets of the Institution
Planning and performance of the activities required for making available, offering, and promotion of the programs and services by the Institution to the relevant persons	<ul style="list-style-type: none"> ● Planning and performance of the programs and services of the Institution ● Planning and performance of the marketing procedures for the programs and services of the Institution ● Planning and performance of market survey activities ● Planning and performance of the procedures for creation and improvement of commitment to the Institution ● Planning and performance of institutional satisfaction activities

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

5. OPERATIONS PERFORMED REGARDING PROCESSING OF PERSONAL DATA

5.1. Operations

Information on the operations performed by Istanbul Kültür University regarding processing of personal data within the scope of its business relations is provided below.

- Within the scope of the operations for **following up telecommunication, e-mail, and Internet traffic**, Istanbul Kültür University may follow up and process, whenever required, the data on phone calls (only about the phone number called and the duration of the call rather than the content of the call), all data such as e-mail contents and sending date, and all data on the Internet traffic regarding the Internet access provided within the facilities and premises of the Institution in line with the Law no. 5651. It is prohibited to use the telecommunication, e-mail, and Internet services allocated to the employees by Istanbul Kültür University for any purpose other than those related to work.
- Within the scope of the **operations regarding disciplinary measures and measures against infraction of the rules**, personal data of the employees may be processed. Various personal data of the employees may be processed within the scope of the disciplinary proceedings initiated in order to reveal irregular processes and all kinds of data processing operations such as data comparison may be conducted regarding all data to be retrieved internally within the Institution or externally.
- **Some parts of the buildings and premises of Istanbul Kültür University may be monitored by surveillance cameras** and the surveillance footage may be processed for purposes as defined in the security policies of the Institution.
- **The computers allocated by Istanbul Kültür University** may be supervised and your personal data on the electronic devices may be processed. It is prohibited to use such electronic devices for any purpose other than those related to work and to store any special personal data other than those related to work on such devices.
- For the purpose of **planning fringe benefits and other benefits of the employees**, e.g. for the purpose of providing health insurance to the employee, personal data of the employees may be processed. In case of the transfer of personal data to third parties within the scope of planning fringe benefits and other benefits of the employees, due care is exercised to ensure that such transfer shall be limited to the intended purpose thereof. In case the data transferred are sensitive personal data, Istanbul Kültür University takes necessary additional measures.
- **Health data of the employees** are intended to be processed in the narrowest extent possible. As a rule, access to health data shall be limited to the personnel authorized to access such data only if

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

it is deemed required. In cases where such health data are required to be processed, the personnel authorized to perform such processing shall be informed on the sensitivity of such data to enable them to take necessary measures.

- **Administrative management, monitoring, and supervision of the vehicles of the Institution.** Istanbul Kültür University monitors the vehicles used by the authorized personnel of Istanbul Kültür University during working hours for security purposes and for the purposes of ensuring and monitoring abiding by the traffic rules.
- **Identity authentication to ensure the security for entry to the system rooms.** Istanbul Kültür University processes data with an aim to ensure the security for entry to the data centers where the information systems are located.
- **Identity authentication to ensure the security for entry to the premises and dormitories.** Istanbul Kültür University processes data with an aim to ensure the security for entry to its premises and dormitories.

5.2. Personal Data Categories

Within the scope of the operations performed by Istanbul Kültür University for processing of personal data of the employees, Istanbul Kültür University may process personal data categories below based on the existence of one or several of the conditions for processing of personal data as provided in articles 5 and 6 of the Law.

5.2.1. Personal Data Categories for Employees

PERSONAL DATA CATEGORIZATION	DEFINITION
Identity Information	All information on the identity of a person as contained in identity documents such as driver's license, identity card, certificate of residence, passport, lawyer identity certificate, marriage certificate, etc.
Contact Information	Information on contact details of the data subject, e.g. phone number, address, e-mail, etc.
Information on Family Members and Relatives	Information on the family members and relatives of the personal data owner, whose personal data are processed with regards to the products and services provided by the Institution or for the purpose of protection of the legal interests of the Institution and/or the personal data owner

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

Physical Location Security Information	Personal data on the records and documents such as security footage, fingerprints, etc. obtained upon entry to a physical location and/or during the visit in such physical location
Transaction Security Information	Your personal data processed in order to ensure our technical, administrative, legal, and commercial security during conducting our business activities
Financial Information	Personal data processed regarding information, documentation, and records indicating any kind of financial results as provided based on the type of the legal relationship established between the Institution and the personal data owner
Personnel Information	All personal data of the relevant employee as kept in the employee's personnel file as specified in Article 75 of the Labor Law no. 4857.
Employee Operation Information	Personal data processed regarding any kind of operations related to their work as performed by our employees or natural persons having working relations with the Institution
Employee Performance and Career Development Information	Personal data processed for the purposes of planning and performance of performance measurement and career development of our employees or natural persons having working relations with the Institution within the scope of the human resources policy of the Institution
Fringe Benefits and Other Benefits Information	Personal data processed for the purposes of planning fringe benefits and other benefits provided and to be provided, determination of the objective criteria for eligibility to such benefits as well as following up entitlement to such benefits for our employees or other natural persons having working relations with the Institution
Legal Proceedings and Compliance Information	Personal data processed for the purposes of determination and follow-up of our legal claims and rights, fulfillment of our obligations and legal liabilities as well as the compliance to the policies of the Institution
Audit and Inspection Information	Personal data processed within the scope of the legal liabilities of the Institution as well as compliance to the policies of the Institution
Sensitive Personal Data	Personal data relating to the race, ethnic origin, political opinion, philosophical belief, religion, sect or other beliefs, clothing, membership to associations, foundations or trade unions, health, sexual life, criminal convictions and security measures as well as biometric and genetic data are deemed to be sensitive personal data.
Request/Complaint Management Information	Personal data regarding the acceptance and evaluation of any kind of requests or complaints referred to our Institution

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

Reputation Management Information	Personal data regarding information retrieved for the purpose of protecting the business reputation of the Institution and evaluation reports created thereof as well as the actions taken in this regard
Incident Management Information	Personal data processed for the purpose of taking necessary legal, technical, and administrative measures against the incidents developed with an aim to protect the commercial rights and interests of the Institution as well as the rights and interests of our students

5.2.2. Personal Data Categories for Others

Your personal data categorized below may be processed by Istanbul Kültür University in compliance with the conditions for processing of personal data as provided in the Law and applicable regulations:

PERSONAL DATA CATEGORIZATION	DEFINITION
Identity Information	All information on the identity of a person as contained in identity documents such as driver's license, identity card, certificate of residence, passport, lawyer identity certificate, marriage certificate etc.
Contact Information	Information on contact details of the data subject, e.g. phone number, address, e-mail, etc.
Geolocation Data	Data, which are clearly related to an identified or identifiable natural person and included in a data recording system and used to determine the geolocation of the data subject
Information on Family Members and Relatives	Information on the family members and relatives of the personal data owner, which is clearly related to an identified or identifiable natural person and included in a data recording system and processed for the purpose of protecting the legal interests of the Institution and/or the data subject
Risk Management Information	Personal data, which are clearly related to an identified or identifiable natural person and included in a data recording system and processed for the purpose of the management of the commercial, technical, and administrative risks of the Institution

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

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Physical Location Security Information	Personal data on the records and documents such as security footage, fingerprints, etc. obtained upon entry to a physical location and/or during the visit in such physical location
Transaction Security Information	Your personal data processed in order to ensure our technical, administrative, legal, and commercial security during conducting our business activities
Financial Information	Personal data processed regarding information, documentation, and records indicating any kind of financial results as provided based on the type of the legal relationship established between the Institution and the personal data owner
Employee Candidate Information	Personal data processed regarding the individuals who have submitted a job application to work in the Institution or have been evaluated in line with the human resources needs of the Institution as per the customs of trade and in good faith or having a working relationship with the Institution
Legal Proceedings and Compliance Information	Personal data processed for the purposes of determination and follow-up of our legal claims and rights, fulfillment of our obligations and legal liabilities as well as the compliance to the policies of the Institution
Audit and Inspection Information	Personal data processed within the scope of the legal liabilities of the Institution as well as compliance to the policies of the Institution
Sensitive Personal Data	Personal data relating to the race, ethnic origin, political opinion, philosophical belief, religion, sect or other beliefs, clothing, membership to associations, foundations or trade unions, health, sexual life, criminal convictions and security measures as well as biometric and genetic data are deemed to be sensitive personal data.
Marketing Information	Personal data, which are clearly related to an identified or identifiable natural person and included in a data recording system and intended to be used for marketing activities by the Institution
Request/Complaint Management Information	Personal data regarding the acceptance and evaluation of any kind of requests or complaints referred to our Institution

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

Reputation Management Information	Personal data regarding information retrieved for the purpose of protecting the business reputation of the Institution and evaluation reports created thereof as well as the actions taken in this regard
Incident Management Information	Personal data processed for the purpose of taking necessary legal, technical, and administrative measures against the incidents developed with an aim to protect the commercial rights and interests of the Institution as well as the rights and interests of our students
Audio-Visual Data	Audio-visual data, which are clearly related to an identified or identifiable natural person and included in a data recording system and associated with the personal data owner

İSTANBUL KÜLTÜR ÜNİVERSİTESİ

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

6. PRINCIPLES AND CONDITIONS FOR PROCESSING OF PERSONAL DATA

6.1. Principles for Processing of Personal Data

Your personal data are processed by Istanbul Kültür University in compliance with the principles for processing of personal data as provided in article 4 of the Law. These principles are mandatory in terms of each operation of processing of personal data:

- **Processing of personal data lawfully and in good faith.** Istanbul Kültür University complies with the applicable laws, secondary legislation, and general principles of law during processing of personal data and exercises due care in processing of such personal data in a manner to be limited to the purposes for which they are processed, taking into account the reasonable expectations of the data subjects.
- **Accuracy and up-to-datedness of personal data.** Istanbul Kültür University performs necessary checks to ensure that your personal data processed by İKÜ are accurate and up-to-date. Within this scope, data subjects are entitled to request for correction or deletion of the inaccurate and/or outdated personal data.
- **Processing of personal data for specific, explicit, and legitimate purposes.** Istanbul Kültür University determines the purpose(s) for processing of personal data before each operation of processing of personal data. At the same time, due care is exercised to ensure that such purposes are in line with the applicable laws and regulations.
- **Personal data being relevant, limited, and proportionate to the purposes for which they are processed.** The operation of processing of personal data by Istanbul Kültür University is kept limited to the personal data required to achieve the purpose(s) for collecting such personal data and necessary steps are taken to refrain from processing of personal data which are not relevant to such purpose(s).
- **Personal data being retained for the period of time as required by the applicable regulations or for the purpose for which such personal data are processed.** Istanbul Kültür University ensures deletion, disposal, or anonymization of personal data once the purpose for processing of personal data no longer exists or upon expiry of the period of time as provided in the applicable regulations.

6.2. Conditions for Processing of Personal Data

Your personal data are processed by Istanbul Kültür University provided that at least one of the conditions for processing of personal data as provided in article 5 of the Law is present. Such conditions are provided below in further detail:

- **Explicit consent of the personal data owner has been provided.** In cases where other conditions for processing of personal data are not available, Istanbul Kültür University may process the

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

personal data of the data subject in line with the general principles as contained in item 3.1 above provided that the data subject has provided an explicit consent, of its own free will, upon being adequately informed on the operation regarding processing of personal data, for processing of such personal data without any doubt to be only limited to such processing thereof.

- Provided that **the operation for processing of personal data is explicitly provided as per applicable laws**, Istanbul Kültür University may process personal data without the explicit consent of the data subject. In such a case, Istanbul Kültür University shall process personal data within the scope of the applicable legislation.
- In case **the explicit consent of the data subject may not be obtained due to being actually incapable of providing such consent and it is mandatory to process personal data**, Istanbul Kültür University may process the personal data of the data subject, who is actually incapable of providing such consent or whose consent may not be deemed legally valid, provided that such processing of personal data is mandatory for the protection of the life or physical integrity of the data subject or any other third person.
- In case **processing of personal data is directly related to the conclusion or performance of an Agreement**; Istanbul Kültür University may process personal data in case such processing of personal data of the parties of an Agreement to be concluded or which have already been executed by and between the data subject and Istanbul Kültür University is deemed required.
- In case **processing of personal data is mandatory for the Data Controller to be able to perform its legal obligations**, Istanbul Kültür University may process personal data for the purpose of performing its legal obligations as provided in the applicable regulations in force.
- **In case the personal data have been made public by the data subject**, Istanbul Kültür University may process personal data, which have been disclosed to the public or made available to the public as a result of such disclosure, even without an explicit consent of the data subject, provided that such processing of personal data shall be limited to the purpose of such personal data which have been made public.
- In case **processing of personal data is mandatory for the establishment, exercising, or protection of any right**, Istanbul Kültür University may process personal data of the data subject under such obligation without an explicit consent of the data subject thereof.
- In case **processing of personal data is mandatory for the legitimate interests of the Data Controller provided that such processing shall not violate the fundamental rights and freedoms of the data subject**, Istanbul Kültür University may process personal data provided that the legitimate interests of Istanbul Kültür University and the data subject are equally observed.

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

Within this scope, Istanbul Kültür University first determines the legitimate interest to be obtained as a result of processing of personal data based on such legitimate interest, and then evaluates the potential effects of processing of personal data on the fundamental rights and freedoms of the data subject and in case Istanbul Kültür University determines that such processing does not violate such rights and freedoms of the data subject, processing of personal data is performed.

6.3. Conditions for Processing of Sensitive Personal Data

Article 6 of the Law provides for a limited number of sensitive personal data. Personal data relating to the race, ethnic origin, political opinion, philosophical belief, religion, sect or other beliefs, clothing, membership to associations, foundations or trade unions, health, sexual life, criminal convictions and security measures as well as biometric and genetic data are deemed to be sensitive personal data.

Istanbul Kültür University may process such sensitive personal data by taking additional measures as determined by the Committee on the Protection of Personal Data under the following conditions:

- **Processing of personal data other than those relating to the health and sexual life of the data subject.** Such sensitive personal data may be processed based on the explicit consent of the data subject or in case such processing is explicitly provided for in applicable laws.
- **Personal data relating to the health and sexual life of the data subject** may only be processed, without the explicit consent of the data subject, by any person or authorized public institutions and organizations, under confidentiality obligation, for the purposes of protection of public health, preventive medicine, medical diagnosis, performance of treatment and nursing services, planning and management of healthcare services as well as their financing.

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

7. TRANSFER OF PERSONAL DATA

Istanbul Kültür University may transfer personal data domestically or abroad in line with the additional provisions as listed in Article 8 and Article 9 of the Law and determined by the Committee on the Protection of Personal Data in case of the existence of at least one of the conditions for the transfer of personal data.

- **Transfer of personal data to third parties in Turkey.** Istanbul Kültür University may transfer your personal data in case of the existence of at least one of the conditions for processing of personal data as contained in Article 5 and Article 6 of the Law and provided in detail in Section 3 of this Policy and provided that the general principles for processing of personal data are observed.
- **Transfer of personal data to third parties abroad.** Istanbul Kültür University may transfer your personal data abroad, even without an explicit consent of the data subject, in case of the existence of at least one of the conditions for processing of personal data as contained in Article 5 and Article 6 of the Law and provided in detail in Section 3 of this Policy and provided that the general principles for processing of personal data are observed.

In case the country of transfer is not among the safe countries to be announced by the Committee on the Protection of Personal Data, upon written commitment for satisfactory protection of such personal data by the data controller of Istanbul Kültür University and the data controller of the relevant country of transfer and subject to approval of such written commitment by the Committee on the Protection of Personal Data, such personal data may be transferred to third parties abroad in case of the existence of at least one of the conditions for processing of personal data as contained in Article 5 and Article 6 of the Law (see Section 3 of this Policy).

Within the scope of the general principles and the conditions for processing of personal data as contained in articles 8 and 9 of the Law, Istanbul Kültür University may transfer personal data to the parties categorized under the following table:

CATEGORY OF PARTIES TO WHOM PERSONAL DATA MAY BE TRANSFERRED	DEFINITION	PURPOSE FOR TRANSFER
Business Associate	Parties having a business relationship with Istanbul Kültür University during the performance of its business activities	Limited transfer of personal data to ensure the fulfillment of the purposes for the establishment of such business relationship

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

Supplier	Parties providing services to ensure the performance of the business activities of Istanbul Kültür University in line with the instructions provided by Istanbul Kültür University and pursuant to the agreement executed by and between Istanbul Kültür University and such parties thereof.	Transfer of personal data limited to the procurement of services outsourced from the relevant supplier.
Legally Authorized Public Institutions and Organizations	Public institutions and organizations, who are legally authorized to receive information and documents from Istanbul Kültür University.	Transfer of personal data limited to the extent of information as requested by the relevant public institutions and organizations.
Legally Authorized Private Institutions/Entities	Private institutions/entities, who are legally authorized to receive information and documents from Istanbul Kültür University.	Transfer of personal data limited to the extent of information as requested by the relevant private institutions/entities within the scope of their legal capacity.

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

8. PROVIDING CLARIFICATION TO THE EMPLOYEES AND THE RIGHTS OF THE EMPLOYEES

As per Article 10 of the Law, data subjects are required to be provided clarification on processing of their personal data prior to processing of such personal data or at the time of processing of such personal data at the latest. As per the relevant article, Istanbul Kültür University, as the data controller, has provided the necessary internal structure to ensure providing clarification to the data subjects in any case where processing of personal data is performed. Within this scope,

- Please see Section 2.2. of the Policy regarding the purposes for processing of personal data.
- Please see Section 4 of the Policy regarding the parties to whom such personal data are transferred and the purpose for transfer.
- Please see sections 3.2. and 3.3. of the Policy regarding the legal grounds for processing of personal data which may be collected from various channels in physical or electronic media.
- As a data subject, you have the following rights as per Article 11 of the Law:
 - Learning about whether your personal data are processed,
 - Requesting for information if your personal data are processed,
 - Learning about the purpose for processing of your personal data and whether such personal data are used for their intended purposes thereof,
 - Learning about the third parties to whom your personal data are transferred domestically or abroad,
 - Requesting for correction of your personal data in case your personal data are processed in an incomplete or inaccurate manner and requesting for notification of such operations to third parties to whom your personal data have been transferred,
 - Requesting for deletion or disposal of your personal data in case the conditions required for processing of personal data no longer exist even though such personal data have been processed in line with the Law and other provisions of the applicable laws and requesting for notification of such operations to third parties to whom your personal data have been transferred,
 - Raising an objection to any consequence against you, arising out of an analysis of your personal data exclusively by automatic systems,
 - Claiming for damages arising out of unlawful processing of your personal data.

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

You may submit your applications regarding your rights listed above to our Institution by completing Istanbul Kültür University Data Subject Application Form available on the website, www.ikü.edu.tr/kvkk. Your applications will be finalized, free of charge, as soon as possible based on the nature of your request and within 30 days at the latest; however, a fee based on the tariff to be determined by the Committee on the Protection of Personal Data may be charged in case your application requires for any additional cost.

Firstly, Istanbul Kültür University determines whether the applicant is the actual data subject entitled to such rights during the evaluation process of the applications. In addition, Istanbul Kültür University may request for more detailed and additional information with an aim to better understand the nature of such requests whenever deemed required.

Istanbul Kültür University provides a response to the applications of the relevant data subjects in writing or in electronic environment (e.g. via e-mail). In case of the rejection of the application, the reason(s) for such rejection together with justification(s) will be provided to the data subject.

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

9. DELETION, DISPOSAL OR ANONYMIZATION OF THE PERSONAL DATA OF THE EMPLOYEES

Istanbul Kültür University performs deletion, disposal, or anonymization of the personal data of its employees *ex officio* or upon request of the relevant employee in line with the guidelines published by the Institution once the conditions required for processing of such personal data no longer exist even though such personal data are processed in compliance with the applicable regulations as per Article 7 of the Law.

10. RESTRICTIONS REGARDING THE SCOPE AND ENFORCEMENT OF THE LAW

As per Article 28 of the Law, the following cases shall be excluded from the scope of the Law:

- Processing of personal data by natural persons within the scope of the activities exclusively relating to such natural persons or family members living together with such natural persons in the same household provided that such personal data are not disclosed to third parties and the obligations for data security are complied with.
- Processing of personal data for the purpose of official statistics and for research, planning and statistical purposes after anonymization of such personal data.
- Processing of personal data within the scope of artistic, historical, literary, or scientific purposes, or within the scope of freedom of expression provided that such processing shall not violate national defense, national security, public security, public order, economic security, the right to privacy, or personal rights or shall not constitute a criminal offense.
- Processing of personal data within the scope of preventive, protective, and intelligence activities conducted by public institutions and organizations assigned and duly authorized by applicable law to ensure national defense, national security, public security, public order, or economic security.
- Processing of personal data by judicial bodies or execution authorities with regards to investigation, prosecution, legal proceedings, or execution proceedings.

As per Article 28 of the Law, Istanbul Kültür University is not obliged to provide clarification to its employees and the employees are not entitled to exercise their rights as provided in the Law, except for their rights to claim for damages in case of the following:

- Processing of personal data is required for the prevention of a crime or for criminal investigation.

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2

- Processing of personal data, which are made public by the data subject itself.
- Processing of personal data is required for inspection or regulatory duties and disciplinary investigation and prosecution to be conducted by public institutions and organizations and by professional associations having the status of public institution, assigned and duly authorized for such actions as per applicable laws.
- Processing of personal data is required for protection of the economic and financial interests of the State with regards to budgetary, tax-related, and financial matters.

11. USE OF COOKIES

Istanbul Kültür University (İKÜ) uses cookies with an aim to display customized contents and advertisements to the visitors of İKÜ Web pages, perform traffic analyses on İKÜ Web pages, and have an understanding of the usage habits of the visitors.

Cookies are text files, which contain small fragments of data, downloaded by the Web browsers of the users and stored on the PC, mobile phone, or tablet PC of such users, whenever users visit İKÜ Web pages, or download İKÜ mobile app, or connect through İKÜ mobile web.

İKÜ Cookies Policy is available at www.ikü.edu.tr/kvkk.

Document Code	IKU-BST-KVKK-001	Revision Date	June 28 th , 2018
Issue Date	November 4 th , 2017	Revision No.	KVKK 1.2