Information about data processing and data transfer

A.

Responsible for the data processing as described is:
> Universität St.Gallen
> Dufourstrasse 50
> CH-9000 St.Gallen
> +41 71 224 21 11
> info@unisg.ch

in connection with the mandatory use of M365.

B.

The information of natural persons is mandatory under the Data Protection Act of the Canton of St.Gallen and is based on the mandatory processing of personal data by the University of St.Gallen in Microsoft systems and the associated data transfer to third parties. This data processing and data transfer results from the University's obligation to ensure the performance of a task defined by university law and to guarantee information security. The justification for this form of data processing is your implied consent based on your voluntary signing of an employment contract, voluntary enrolment or your voluntary disclosure of your personal data through your voluntary active participation. The use of M365 is based on an official authorization. This information comprises five [5] pages.

The information provided by the University of St.Gallen (hereinafter "HSG") relates exclusively to the processing and protection of your personal data in the context of the use of the Microsoft Cloud Services resources listed below. It does not refer to the processing of personal data in a specific context when using special functions and applications as part of these services. Separate consents or data protection declarations exist for such applications and functions, to which explicit reference is made on a situational basis. This declaration then applies on a subsidiary basis.

a.) M365 Services
The following M365 services offer opportunities to collaborate and communicate with internal and external people:

Bookings	Clipchamp	Dynamics 365 (CRM)
Edge	Excel	Forms
Lists	OneDrive for Business	OneNote
Outlook	Planner	Power Apps
Power Automate	PowerBI	PowerPoint
Priject	SharePoint Online (incl. Intra, Files365)	
Share Point OnPremise	Stream on SharePoint	Teams
ToDo	Unternehmensportal / Company Portal of Intune	
Viva Engage (Zaeme)	Visio	Whiteboard
Word		

b.) 3rd Party Services for M365
The following third-party services that are integrated into M365 Services (point a.) can be accessed:

Decisions	EasyLife 365	EasyMeet 365
Templafy		

c.) other Microsoft Cloud Services
In addition to the M365 services, there are also the following relevant cloud-based services from Microsoft, which you do not interact with directly:

Delve	Exchange Online	Graph
Purview Labels (Sensitivity Labels, Retention Labels)		Search
Search	Defender XDR	Cloud Apps

The administration is the responsibility of the IT department of the University of St.Gallen.

<u>d.) 3rd party services in connection with Microsoft Cloud Services</u>
In addition to M365 Services and other Microsoft cloud services, there are also the following relevant cloud-based services from Microsoft with which you do not interact directly:

- DocumentsCorePack (mscrm-addons.com)
- Backup of M365 data such as mailboxes, OneNote, Teams, Sharepoint Online

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<u>e.) Azure Services</u>
Azure is Microsoft's cloud computing platform and offers a variety of relevant services and resources that you do not interact with directly:

Azure Entra (Entra ID, MFA)	Azure Open AI	Azure DevOps
Azure Virtual Desktop	Azure AKS (Container Services)	Azure Service Bus
Azure Blob Storage (Abstracts in BiB)		Azure Key Vault
Azure Event Hub	Azure Functions	

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<u>f.) Admin Center</u>
The Microsoft Admin Center offers people with administrator rights a central management interface for M365 Services, Azure Services and other cloud services:

Microsoft 365 Admin Center	Microsoft 365 Apps Admin Center	
Microsoft Azure Center	Microsoft PowerPlatform Admin Center	
Microsoft Purview Center	Microsoft Security Center	Microsoft Intune Admin Center
Microsoft Exchange Admin Center		Microsoft Defender
Microsoft Entra Admin Center	Microsoft SharePoint Admin Center	
Microsoft Teams Admin Center	Volume Licensing Service Center	

The administration is the responsibility of the IT department of the University of St.Gallen.

C.1. Contact details DPO/ Data Protection Information Office

| Switzerland: | | datenschutz@unisg.ch |
| EU: | RA Frank Diem | fdiem@diempartner.de |

C.2. Legal basis of data processing

<u>a.) University members</u>
Universitätsgesetz St.Gallen (UG), <u>sGS 217.1</u>
Personalgesetz Kanton St. Gallen (PersG), <u>sGS 143.1</u>

<u>b.) External parties</u>
- Datenschutzgesetz Kanton St.Gallen (DSG SG), <u>sGS 142.1</u>: Art. 4, Art. 5, Art. 11, Art. 13
- Bundesgesetz über den Datenschutz (DSG CH): Art. 6, Art. 19, Art. 31
- Datenschutzgrundverordnung der EU (DSG VO/ GDPR): Art. 6, Art. 7, Art. 13

C.3. Type of collection and data

a.) University members
The following personal data is transferred into Microsoft Cloud Services via an interface from SAP and SIS, specifically into the Active Directory (from on-prem to Azure Entra ID):

Last Name	First name	Telephone number	E-Mail adress
Main department	Office location	Main function	Employment relationship
Study info	Organizational unit	Title (only if available)	

b. University members and external parties

1.) Further (possibly personal) data is processed in an administrative or academic context, as a result of the necessary management activities of the HSG, e.g. information:

- with legal relevance, in particular in connection with (administrative) investigations, criminal cases and decrees as well as in connection with emergency crisis management measures
- on committee work and the activities and decisions of the HSG management
- in the context of human resources
- in the context of contracts
- in connection with requests (information/deletion), applications, complaints, notifications, etc.
- in connection with research work, results, sources and methods
- in connection with the provision of services (possibly also subject to business confidentiality)

2. Through your individual use, further (possibly personal) data is processed:

Metadata	Edge data	IP addresses	Device information
Tracking information	Error information		

Information that is disclosed voluntarily, in particular: Content, audio/video recordings

The Microsoft Cloud Services are SaaS, PaaS and IaaS solutions used by the HSG, i.e. all data is accessible to the HSG and the supplier.
    Microsoft, Redmond, Washington 98052-6399 (USA)

Within Switch's CASA framework agreement, this supplier acts as a commissioned data processor and is bound by a specific order data processing contract (Auftragsdatenverarbeitungsvertrag; ADV) for Microsoft Cloud Services. No data is passed on to other third parties as part of this contractual relationship.

Switch is a foundation set up by the Swiss Confederation and the cantons. The Swiss Confederation, the cantons and the Swiss universities sit on the foundation board and define the foundation's mission.
    Switch, Werdstrasse 2, 8004 Zurich (CH)

C.4. Purpose of the processing of personal data

Depending on the information disclosed and processed by university members or external parties, non-sensitive, sensitive and highly sensitive data is processed for the following purposes:

1.) Enabling the fulfillment of the university's legal mandate according to the latest state of science and technology, specifically the continuous maintenance of educational operations and administration

2.) Ensuring the fulfillment of requirements according to the Law on Record Keeping and Archiving of the Canton of St.Gallen (sGS 147.1).

3.) Ensuring information security in accordance with the Federal Act on Information Security at the Confederation (Bundesgesetz über die Informationssicherheit; ISG) and the Ordinance on IT Security of the

Canton of St. Gallen (Verordnung über die Informatiksicherheit des Kantons St. Gallen; sGS 142.21), in particular reliable system operation and ensuring stability as well as secure use and protection against mis-use.

In connection with information security issues, Microsoft accesses all data and also uses artificial intelligence (cyber defense)

4.) Optimization of performance and (anonymous) statistical purposes

C.5. Countries and places where the data are stored

Personal data that is processed in all of the above applications is stored in Switzerland (Zurich and Geneva data centers).

Backups for MS TEAMS, SharePoint Online, Exchange mailboxes (only persons with employment) and OneDrive for Business (only persons with employment) are stored in HSG's own storage environments in St.Gallen.

Peripheral data and, in individual cases, possibly personal data are also stored outside Switzerland. Within the framework of the "EU data border", the majority of system-generated log data is stored in the EU/EFTA area. However, global processing is possible in principle, similar to exceptional remote access by Microsoft.

C.6. Duration of storage

Business-relevant records are stored for five [5] to ten [10] years and then handed over to the St. Gallen State Archives for archiving.

Backups of the HSG's M365 services are overwritten every two [2] days.

Depending on the Microsoft Cloud Service, data is generally stored for 30 days, sometimes 90 days, but for a maximum of 180 days, and then deleted.

Audit logs are deleted after one [1] year.

Once a natural person has left the HSG, all personal data will no longer be processed and will be deleted after one [1] year, unless there are legal grounds for retention.

C.7. Information on the rights of data subjects

- Right to information
- Right to rectification or correction
- Right to data portability
- Right to object

In the case of the intended exercise of rights with regard to "erasure" and "restriction of processing", there is a temporary obstacle to execution for the duration of training or an employment relationship and a permanent obstacle to execution in the case of business-relevant evidence.

C.8. Right of appeal to authorities

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Regierungsgebäude
9001 St.Gallen
+41 58 229 14 14
datenschutz@sg.ch

University of St.Gallen

C.9. Automated decision-making and profiling

As a rule, HSG does not collect or centrally merge personal data in such a way as to create a profile for the purpose of monitoring or predicting behavior. Automated decision-making does not take place.

In exceptional cases, a type of profiling may take place for a limited period of time as part of the implementation of technical measures by HSG (see section C.4.3.) for the purpose of averting danger on instruction. However, the data will be deleted after implementation if no further preservation of evidence is required. To the same extent, profiling and, due to the use of AI, automated decision-making by Microsoft for information protection purposes and, if necessary, criminal prosecution is possible in accordance with section C.4.3.

C.10. Cookies and webtracking

In accordance with point C.4.3., tracking and other technical measures are used to protect environments provided by Microsoft and to detect dangerous content and to ensure the functionality of the product via corresponding security features. In a specific context, this data created by Microsoft can be used by HSG on a situational basis to ensure information security.

C.11. Further information

Microsoft add-ins (apps) that are offered via the Appstore are checked in controlled procedures before they are activated to determine whether they are covered by the scope of official authorizations granted. Each actively available app always complies with the information set out in this DSI with regard to the processing of personal data carried out.

This is a translation of document ICT-ANL-100002, version 1.0. Only the German version is legally binding; Art. 147 of the University Statutes applies (US; sGS 217.15).