



**REPUBLIC OF TURKEY**  
**ISTANBUL GELISIM UNIVERSITY RECTORATE**  
**Personal Data Protection and Processing Policy**

## **1. PURPOSE**

The purpose of this policy is to provide information regarding the personal data processing activities carried out by our University in accordance with the Law on the Protection of Personal Data No. 6698, dated March 24, 2016, and published in the Official Gazette dated April 7, 2016 (No. 29677), as well as relevant legislation and decisions of regulatory authorities. This policy also aims to regulate and supervise the internal processes that require personal data processing, to raise awareness within the units involved in such processes regarding the lawful processing of personal data, and to instill a sense of responsibility in this context. Furthermore, the policy seeks to ensure transparency by informing data subjects—primarily our students, alumni, job applicants, authorized personnel, visitors, employees, shareholders and authorized representatives of partner institutions, and other third parties—about our personal data processing procedures and adopted data protection systems.

## **2. SCOPE**

This policy covers all personal data processed by our University—whether through automated means or non-automated means provided that they form part of a data recording system—within the scope of its activities. It applies to the personal data of prospective students, current students, alumni, job applicants, employees, former employees, authorized personnel, visitors, event participants, and the employees, shareholders, and authorized representatives of various institutions and organizations with which the University collaborates (such as supplier companies), as well as third parties.

The scope of the issues mentioned in this policy may cover all of these groups, which are counted according to the type of processing activity, as well as some groups, such as a supplier company employee, in whole or in part.

## **3. DEFINITIONS**

The terms used in this policy are intended to have the meanings set forth below. In the event that the relevant legislation or regulatory authority decisions define these terms differently, replace them with other terms, or assign different meanings to them, such changes shall be deemed effective in the implementation of this policy from the date they come into force, without requiring any separate amendment by our University.

**EU:** European Union

**Law:** The Constitution of the Republic of Turkey dated 7 November 1982 and numbered 2709, published in the Official Gazette dated 9 November 1982 and numbered 17863,

**Explicit consent:** Any informed consent on a particular subject that is expressed freely.

**Anonymization:** Making personal data unassociable with a real person by techniques such as blackout, masking, aggregation, data corruption, etc., which will lose the quality of personal data and cannot be reversed,

**Application form:** The “Application Form for Applications to be Made by the Data Subject to the Data Controller Pursuant to the Personal Data Protection Law No. 6698,” which includes the application to be made by personal data owners to exercise their rights and explains the application method accessible on the website (<http://www.gelisim.edu.tr>) within the scope of this policy,

**Candidate Employee:** Persons who have applied for a job or internship to our University by any means or have made their resumes and relevant information available for review by our University.

**Disposal:** Deletion, destruction or anonymization of personal data.

**Institutions/Organizations We Cooperate With:** Employees, shareholders, and authorized representatives of institutions with which our University has any kind of business relationship (including but not limited to business partners, suppliers), including the employees, shareholders, and authorized representatives of these institutions.

**Business Partner:** Parties with whom our University establishes partnerships while conducting its activities.

**Participant:** Any person who participates in any event, course or training organized by our University,

**Processing of Personal Data:** All kinds of processes performed on personal data including obtaining, recording, storing, keeping, changing, re-arranging, disclosure, transmission, acquisition, making available, classification or prevention of use in whole or in part, automatically or in non-automatic ways, being part of any data recording system,

**Personal Data:** Any information related to the identified or identifiable real person. For example; name-surname, TR ID number, mobile phone number, e-mail, contact address, etc.,

**Personal Data Subject:** Real person whose data are processed. For example; employees, students, visitors

**Personal data retention and disposal policy:** The policy taken as a basis by data controllers in order to determine the maximum period required for the objective of processing personal data and deletion, destroying and anonymization of data,

**PDPL:** The Personal Data Protection Law No. 6698, dated March 24, 2016, and published in the Official Gazette No. 29677 on April 7, 2016.

**PDPL Commission:** Istanbul Gelisim University Personal Data Protection Commission, which is responsible for ensuring compliance with the Personal Data Protection Law, the decisions of the PDPL Board and the provisions of the relevant legislation, the implementation of the regulated policies and the necessary audits,

**PDPL Board/Regulatory Board:** Personal Data Protection Board,

**PDPL Institution/Regulatory Authority:** Personal Data Protection Authority,

**Periodic destruction:** This is the process of deleting, destroying, or anonymizing personal data that will be carried out ex officio at regular intervals and specified in the personal data storage

and destruction policy if all of the legal conditions for processing personal data are no longer valid.

**Policy:** Istanbul Gelisim University Personal Data Protection and Processing Policy,

**Sensitive personal data:** Race, ethnic origin, political thought, philosophical belief, religion, sect or other beliefs, clothing, membership to associations, foundations or trade unions, health, sexual life, criminal convictions and security measures and biometric and genetic data,

**Rector:** Rector of Istanbul Gelisim University,

**Instruction:** Short, simple, understandable written documents that explain how to perform the steps of an activity and/or work and support the procedures,

**Supplier:** Parties who provide services to our University on a contractual basis, in accordance with the orders and instructions of our University, while carrying out its activities.

**Turkish Code of Obligations:** The Turkish Code of Obligations dated 11 January 2011 and numbered 6098, published in the Official Gazette dated 4 February 2011 and numbered 27836,

**Turkish Penal Code:** The Turkish Penal Code dated 26 September 2004 and numbered 5237, published in the Official Gazette dated 12 October 2004 and numbered 25611,

**Turkish Commercial Code:** Published in the Official Gazette dated 14 February 2011 and numbered 27846;

Turkish Commercial Code dated 13 January 2011 and numbered 6102,

**University/ Our University:** Istanbul Gelisim University,

**University official:** Rector of Istanbul Gelisim University,

**Third Person:** Real persons whose personal data are not defined differently within the scope of the policy ( For instance; Guarantor, Accompanying Person, Family Members and relatives)

**Data Processor:** A natural or legal person who processes personal data on behalf of the data controller based on the authorization granted by the data controller, real and legal person,

**Data Supervisor:** The person who determines the purposes and means of processing personal data and manages the place where the data is kept systematically (data recording system).

**Visitor:** Real persons who have entered our physical premises with various purposes or visited our websites.

## 4. IMPLEMENTATION

### 4.1. BASIC PRINCIPLES

Although the protection of personal data is a right protected at the Constitutional level as a human right, it constitutes one of the most sensitive issues of our University. Our University collects personal data from a wide range of groups such as students, alumni, visitors, employees, business partners, and suppliers within the scope of its activities. The processing and storage of these personal data are carried out in accordance with the provisions of the applicable legislation and the decisions of the Personal Data Protection Authority (KVKK), the regulatory institution operating in this field. In this context, creating a lasting awareness among our employees and other individuals related to our University about the right to personal data protection, which is a fundamental human right, is among our top priorities.

All personal data processing activities carried out within our University are conducted in compliance with the following principles, primarily and in accordance with all provisions and

conditions stipulated in the applicable legislation and the general principles of law:  
Compliance with the law and principles of fairness, Accuracy and being up-to-date when necessary,

Processing for specific, explicit, and legitimate purposes,

Processing relevant, limited, and proportionate to the purposes for which they are processed,

Retention for the duration prescribed by the relevant legislation or necessary for the purpose of processing,

Taking the necessary administrative and technical measures for the storage of personal data,

Ensuring the required sensitivity in processing special categories of personal data that are subject to special protection according to the prescribed rules,

Informing the personal data owners when required by legislation and obtaining their explicit consent when necessary,

Taking the necessary administrative and technical measures during the transfer of personal data and supervising third parties to whom data is transferred to ensure they process data in accordance with relevant legislation and regulatory decisions.

Although requesting the protection of personal data is a right granted to individuals by the Constitution of the Republic of Turkey, we have adopted the principle of taking the utmost care as a University in order to ensure that this right can be used in accordance with its essence.

#### **4.2. LEGAL REASONS ON THE BASIS OF THE PROCESSING OF PERSONAL DATA**

In accordance with Article 20 of the Constitution and Article 5 of the Personal Data Protection Law (PDPL), our University processes personal data based on one or more of the following conditions specified in Article 5/2 of the PDPL regarding the processing of personal data, depending on the nature of the personal data being processed and the data processing procedure:

**a.** In the event that it is clearly stipulated by the laws, Keeping the personal information of the employee in accordance with the law,

**b.** In the event that the person who cannot explain his/her consent due to the actual impossibility, or is not legally valid at his/her discretion, or is obliged to protect the life or physical integrity of the person himself/herself or someone else. Location information of the missing person,

**c.** In the event that it is directly related to drawing up or performing a contract, it is required to process personal data of the parties of the contract. The company should record the address information of the person concerned in order to make deliveries,

**d.** In the event that it is mandatory for the data controller to fulfill his/her legal obligations, Sharing information during special audits in areas such as Banking, Energy and Capital Markets.

**e.** In the event that personal data is revealed to the public by the person concerned himself/herself, The person who wants to sell his/her house should include his/her contact information in the sales announcement,

**f.** In the event data processing is required for the establishment, exercise or protection of a right, Keeping the necessary information of an employee who left the job during the time limit of the case.

**g.** In the event that data processing is required for the legitimate interests of the data controller, provided that the fundamental rights and freedoms of the concerned person are not damaged. Data processing to apply rewards and bonuses that increase employee loyalty.

It is understood that our personal data processing activity does not fall into any of the situations mentioned here, but in cases where this personal data processing is considered necessary and proportionate, explicit consent is obtained.

In cases where the personal data being processed is identified as sensitive personal data, it is processed in accordance with Article 6 of the Personal Data Protection Law (PDPL Law). If there is no legal regulation for the processing of sensitive personal data other than those related to health and sexual life, or if the personal data related to health and sexual life cannot be processed under the conditions specified—namely, by persons or authorized institutions and organizations who are under the obligation of confidentiality, for the purposes of protecting public health, preventive medicine, medical diagnosis, treatment and care services, and the planning and management of healthcare services and their financing—then such data is processed only with the explicit consent of the data subject, in line with the principles of necessity and proportionality.

#### **4.3. ISSUES RELATING TO THE PROTECTION OF PERSONAL DATA**

Article 12 of the PDPL Law, imposes obligations on the data controller to take all necessary technical and administrative measures to ensure an appropriate level of security for this purpose such as

- a)** prevent illegal processing of personal data,
- b)** prevent illegal access of personal data,
- c)** enable personal data protection.

In accordance with the obligation stated in this article, our University takes the necessary legal, technical, and administrative measures to ensure the security of personal data processed within its operations. While not limited to the measures listed below and subject to continuous improvement in line with current developments, these measures can be summarized as follows:

**4.3.1.** Our University takes technical and administrative measures according to the technological possibilities and implementation cost to ensure that the personal data are processed lawfully. Employees are informed that they cannot disclose the personal data they have learned to anyone else in violation of the provisions of the PDPL Law and cannot use it for purposes other than processing, that they should not keep personal data open to the access of others and that these obligations will continue after they leave the job, and they regularly organize awareness training on this issue and if deemed necessary, commitments are taken from them in this direction.

**4.3.2.** Our University shows sensitivity in the protection of special category personal data, which are determined as "special category" by the Personal Data Protection Law and processed in accordance with the law. In this context, the technical and organizational measures taken by

Our University for the protection of personal data are carefully implemented for the special categories of personal data, and necessary controls are performed.

**4.3.3.** Our university takes technical and administrative measures according to the nature of the data to be protected, technological possibilities and application cost in order to prevent the unconscious, unauthorized disclosure, access, transfer or any other illegal access of personal data. Our university increases the awareness of data processing institutions such as business partners and suppliers to whom it transfers personal data in order to prevent unlawful processing of personal data, to prevent unlawful access to data and to ensure that the data is kept in accordance with the law, and loads them contractually in accordance with the nature of the activity they carry out.

**4.3.4.** In order to supervise our personal data processing activities at our university and to comply with the relevant legislation and regulatory body decisions and to ensure this compliance continuity and to make the necessary updates, a Personal Data Protection Commission has been established within our University.

**4.3.5.** Our university takes the necessary technical and administrative measures according to the technological facilities and application cost in order to prevent the storage of personal data in secure environments and their destruction, loss or alteration for unlawful purposes, and the transactions carried out are recorded.

**4.3.6.** Our Company performs the required audits within its own body in accordance with Article 12 of the Law on PDPL. The results of these audits are reported to the relevant unit supervisors and the PDPL Commission within the scope of the internal functioning of the University, and new measures are taken within the framework of the recommendations and instructions of the PDPL Commission, or necessary activities are carried out to improve the measures taken.

**4.3.7.** Our University operates a system that enables data subjects to exercise their rights as set out in Article 11 of the Personal Data Protection Law (PDPL Law) in the most effective manner and ensures that their requests are properly addressed.

**4.3.8.** In case that personal data processed in accordance with Article 12 of the Law on PDPL are obtained by others through illegal means, our company operates a system that allows this situation to be notified to the concerned personal data subject and the PDPL Board as soon as possible.

**4.3.9.** Our University has established a personal data retention and destruction policy in accordance with Article 7 of the Personal Data Protection Law (PDPL Law) and the Regulation on the Deletion, Destruction, or Anonymization of Personal Data published in the Official Gazette dated 28.10.2017 and numbered 30224.

#### **4.4. DISCLOSURE AND INFORMING THE PERSONAL DATA OWNER**

Our University, in accordance with Article 10 of the Personal Data Protection Law (PDPL) and Article 4 of the Communiqué on the Procedures and Principles to be Followed in Fulfilling the Obligation to Inform, ensures that data subjects are informed through various means consistent with the nature and scope of the data processing activities. The information provided includes the matters stipulated in the aforementioned articles, as outlined below:

In the lighting made, the issues stipulated in the relevant articles and specified below are included:

- a) The identity of our University as the data controller,
- b) The purposes for which we process / may process personal data,
- c) The recipients to whom and the purposes for which personal data may be transferred,
- d) The methods of collecting personal data and the legal grounds for such collection,
- e) The rights of the data subject as set forth in Article 11 of the Law and further detailed in Article 4.6 of this Policy.

In accordance with Article 10 of the Personal Data Protection Law (PDP Law), the obligation to inform is fulfilled:

- f) At the latest, at the time of obtaining personal data,
- g) In cases where personal data are not obtained directly from the data subject, in compliance with Article 6 of the Communiqué on the Procedures and Principles to be Followed in Fulfilling the Obligation to Inform,
- h) Within a reasonable period after obtaining the personal data,
- i) At the time of the first communication, if the personal data are to be used to contact the data subject,
- j) At the time of the first transfer, if the personal data are to be transferred.

The purpose of publishing this policy on the website [www.gelisim.edu.tr](http://www.gelisim.edu.tr), which can be easily accessed by the relevant persons, also contributes to the transparency of our University's personal data processing activities and thus to the protection of the right to protection of personal data in accordance with the essence of the right.

#### **4.5. TRANSFER OF PERSONAL DATA**

Our company can transfer the personal data and personal data of the personal data owner to third parties by taking the necessary security precautions in line with the personal data processing purposes that are in accordance with the law. Accordingly, our company acts in accordance with the regulations stipulated in article 8 of the PDPL Law.

In the transfer of personal data abroad by our university, although the foreign countries with adequate protection have not yet been announced by the PPD Board, in the event that the explicit consent of the data owner is obtained or sufficient protection is not available, the appropriate method of approval of the PDPL Board is used by the letter of undertaking declared in writing by the data controllers in Türkiye and the relevant foreign country.

In the event that the aforementioned safe country list is announced by the PDPL Board, this option may also be preferred as a method, and the data subject is informed about which method is preferred during the data collection phase to the extent possible. In this context, our University acts in accordance with the regulations stipulated in Article 9 of the PDPL Law.

#### **4.6. OBSERVING THE RIGHTS OF THE DATA SUBJECT; CREATING CHANNELS TO CONVEY THESE RIGHTS TO OUR UNIVERSITY AND EVALUATING THE REQUESTS OF THE DATA SUBJECTS**

Pursuant to Article 11 of the PDPL Law, The rights of the data owner are regulated and the rights that can be exercised by applying data controller are as follows:

- a) To learn whether or not your personal data have been processed,
- b) To request information if their personal data has been processed,
- c) To learn the purpose of processing the personal data and whether they are used in line with this purpose,
- d) To receive information on the third persons to whom the personal data is transferred at home or abroad,
- e) Requesting the data's correction in the event that it was processed incompletely or inaccurately.
- f) To request the deletion or destruction of personal data within the framework of the conditions stipulated in Article 7 of the PDPL Law (in the event that the reasons requiring processing are eliminated, although they have been processed in accordance with the provisions of the PDPL Law and other relevant laws),
- g) To request notification of the operations carried out in compliance with subparagraphs (d) and (e) to third parties to whom personal data has been transferred,
- h) To object to the occurrence of a result to the detriment of the data subject arising solely from the analysis of processed data through automated systems.
- i) To claim compensation in case of suffering loss due to illegal processing of the personal data.

It has established the necessary channels in accordance with Article 13 of the PDP Law in order to evaluate the requests to be submitted to our University by personal data owners or related persons and to provide the necessary information to personal data owners, and its internal functioning is carried out by the PDP Commission established and the necessary legal, administrative and technical arrangements are carried out through the aforementioned commission.

The means of application foreseen under this article are organized as follows:

- ✓ The data subject may submit a signed copy of the Data Subject Application Form in person or through a duly authorized representative holding a notarized power of attorney, to the address: Cihangir Mahallesi, Şehit Jandarma Komando Er Hakan Öner Sokak No:1, Avcılar / İSTANBUL.
- ✓ A signed copy of the Data Subject Application Form may be sent to the same address via registered mail with return receipt.
- ✓ A signed copy of the Data Subject Application Form may be sent via e-mail to: (kvkk@gelisim.edu.tr).
- ✓ An electronically signed copy of the Data Subject Application Form may be sent to the following registered e-mail (KEP) address: ([gelisimuniversitesi@hs03.kep.tr](mailto:gelisimuniversitesi@hs03.kep.tr))

In order to apply to the ways stipulated here, the explanations directing the requestors are announced on the website of our University [www.gelisim.edu.tr](http://www.gelisim.edu.tr) and presented to the attention of the relevant persons in terms of the fact that the applicant must submit the basis documents supporting his/her identity to our University through the channel he/she prefers, as well as

making a statement about what the claims are in the application document and which is the right to be exercised.

If a request is made within the scope described, the procedure to be followed by our University are as follow:

In accordance with the legal regulations, the requests submitted to our University by the data owners or the relevant persons by one of the methods stipulated above will be evaluated according to the nature of the request and the requestor will be answered free of charge as soon as possible and within 30 (thirty) days at the latest. In the first examination, if it is understood that the necessary information and documents are provided in order to make a healthy evaluation, the applicant will be informed immediately in writing.

If it is understood that the transaction requires an additional cost, the requestor will be informed immediately as of the understanding of this situation and it will be stated that the requestor should cover this cost by taking into account the current tariffs published by the PDP Institution. If the requestor does not meet this cost, it will be tried to be answered by evaluating whether the requests can be distinguished in terms of affordability free of charge, and if it is understood that it is not possible, the requestor will be given a written response in this regard.

If it is understood that the application is acceptable as a result of the evaluation of the request of the claimant, the necessary arrangements will be made immediately and the necessary measures will be taken to minimize the possible damages that may arise from the alleged violation.

#### **4.7. DESTRUCTION OF PERSONAL DATA**

In the event that the personal data processing conditions processed within the framework of the legal reasons specified in Article 4.2 of this policy are completely eliminated in terms of personal data, these personal data are destroyed or upon the request of the person concerned by deleting, destroying or anonymizing them.

In the deletion, destruction or anonymization of personal data, the basic principles specified in Article 4.1 of this policy and the technical and administrative measures to be taken for the protection of this personal data, the provisions of the relevant legislation, the decisions of the Board and the personal data storage and destruction policy are acted in accordance with.

Inspections are carried out within our University within the framework of the calendar organized by the PDP Commission, at the latest every 6 months. In the light of the reports prepared as a result of these regular audits, personal data that are determined to have disappeared for the purpose of processing are periodically destroyed.

In the event that the data subject requests destruction, the following audit period is not expected, the request is evaluated immediately and within 30 days at the latest after the request is duly received by our University, and if deemed necessary, the destruction process is carried out by the appropriate method within the same period and the requestor is informed.

In the event that the data destroyed within the scope of this article is transferred to third parties at any time, it is ensured that third parties take the necessary actions by informing these third parties about the transaction carried out.

All transactions related to the deletion, destruction and anonymization of personal data shall be recorded by the Data Destruction Team to be assigned by the Rectorate and the records in question shall be kept in the Rectorate Archive Room for at least three years, except for other legal obligations.

Unless otherwise decided by the PDPL Board, our university chooses the appropriate method of deleting, destroying or anonymizing personal data ex officio. In case of destruction based on the request of the person concerned, an explanation is made to the requestor about the reason for choosing the appropriate method. If the conditions for processing personal data have not been completely eliminated, our University may reject the request by explaining the reason to the requestor, in this case, the requestor is informed through the appropriate means.

Anonymous data obtained by carrying out the destruction process in the form of anonymization of personal data can be used by our University for purposes such as using it for statistical purposes stipulated by the PDP Law.

In this context, our University has developed the necessary operating mechanisms in this regard by taking the necessary technical and administrative measures within the University in order to fulfill its relevant obligations; relevant business units are trained, assigned and their awareness is increased within the framework of the planning and decisions taken by the PDP Commission to act in accordance with these obligations.

## **5. METHOD**

### **5.1. IMPLEMENTATION OF THE POLICY AND LEGISLATION**

In the personal data processing activities carried out by our university, primarily the provisions of the legislation in force and the decisions of the regulatory body are applied to the extent it complies with its nature. In the event that any matter stipulated in this policy and the provisions or decisions specified are incompatible, the rules in the most favor of personal data owners are taken into account.

### **5.2. EFFECTIVE DATE**

This policy issued by our university entered into force on 21.07.2020. If some of the articles in this policy are changed partially or completely, the relevant change will be effective as of the date of publication of the change.

This policy is published on [www.gelisim.edu.tr](http://www.gelisim.edu.tr) and the changes are published in the same way. Upon request, a copy of the policy is transmitted to the relevant person physically or electronically.

### **5.3. RELATIONSHIP OF UNIVERSITY PERSONAL DATA PROTECTION AND PROCESSING POLICY WITH OTHER POLICIES AND INTERNAL DIRECTIVES**

Our University ensures that the principles it has set forth with this policy are applied within the University with the policy it has set forth for the execution of the relevant principles. By linking the policy on the protection of personal data with other policies, procedures and internal directives carried out by our University in other fields, compatibility is also ensured between the processes operated by the University on the basis of different policies, procedures and

internal directives for similar purposes, and if it is understood that there is any incompatibility, this policy is primarily taken into account in matters to be applied in relation to personal data.

#### **5.4. REVIEW**

This policy will be reviewed by the PDPL Committee in January and July each year, and the changes and updates are published on the official website of our University with the approval of the Rectorate.

#### **Annexes:**

KV.FR.29.01 Administrative Personnel Clarification Text in accordance with PDPL Legislation  
KV.FR.69.01 PDB Academic Personnel Clarification Text in accordance with KVK Legislation  
KV.FR.84 Visitor Clarification Text in accordance with DHDB Security  
PDPL Legislation  
KV.FR.63 Student Clarification Text in accordance with ÖİDB PDPL Legislation

**Rectorate Approval**