Data protection information as per Article 13 General Data Protection Regulation (GDPR) for the processing of personal data for the SARS-CoV-2 screening at the University of Konstanz
As of: 31.03.2022

Your personal data will be processed when you take part in a SARS-CoV-2 screening in the University of Konstanz's test centre. This information will be shared with a server from the Robert Koch Institute (RKI) that T-Systems International GmbH runs on behalf of the RKI. So your test results can be retrieved, the university generates a globally unique identifier (GUID) in the form of a QR code specifically for your test. This QR code is a combination of filled in and empty spaces that can be read using a camera. You can use the Corona-Warn-App on your mobile device to scan the QR code and retrieve your test results.

Your personal data will be stored by the University of Konstanz in order to send you an email with your test results and to contact you if the results are positive. The data will be deleted after a period of four weeks.

1. Responsible authority

University of Konstanz
represented by the Rectorate
Universitaetsstrasse 10
78464 Konstanz, GERMANY
Phone: +49 7531 88-0

Internal responsibility:

Professor Daniel R. Dietrich (dean of studies)
University of Konstanz
Human and Environmental Toxicology
Universitaetsstr. 10
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Email: Daniel.Dietrich@uni-konstanz.de

2. Data protection officer

Heinz-Joachim Sommer
Datenschutz-Sommer
Sommertalweg 1
88709 Meersburg, GERMANY

Email: datenschutzbeauftragter@uni-konstanz.de
Website: https://www.uni-konstanz.de/en/data-protection/
3. The purpose of data processing and consequences of not providing personal data

Data processing in the context of the university's SARS-CoV-2 screening programme is used for the purpose of reducing the risk of infection with SARS-CoV-2 for staff members and to protect the health and safety of staff and students in accordance with the SARS-CoV-2-Arbeitsschutzverordnung (occupational safety regulations). Testing and the corresponding data processing, especially in the case of external persons, take place on the basis of the testing ordinance "Coronavirus-Testverordnung" (TestVO) at the request of the respective person. Data processing in the context of the SARS-CoV-2 screening study serves the purpose of assessing the effectiveness of infection prevention measures and identifying asymptomatic infected persons.

In addition, data processing takes place in order for you to retrieve your test results online using the Corona-Warn-App from the Robert Koch Institute (RKI). In case of positive test results, your name will be shared with the Gesundheitsamt (health authority) in order to instate infection protection measures as per §§ 6-9 Infektionsschutzgesetz IfSG (German federal law on the prevention and control of infectious diseases). In addition to this, the university obtains payment for the corresponding tests from the Kassenärztliche Vereinigung Baden-Württemberg (as of January 2022) as long as the legal requirements are met.

If you do not provide your consent, you will not experience any disadvantages other than that you will not be able to take part in the screening programme. In such cases, staff members can instead request up to two self-tests per week by contacting the in-house physician at betriebsarzt@uni-konstanz.de.

4. Personal data

The following personal information is used and stored:

a) Your family name
b) Your first name
c) Gender
d) Your date of birth
e) Address
f) Your email address
g) The date and time of the test;
h) Symptoms
i) Vaccination status
j) The test result
k) The reason for the test
l) The date you provided your consent
m) A new random number for each of your tests (GUID)
n) How you were informed of the test result
5. Legal basis

Data processing takes place on the following legal basis:

a) Art. 6 para. 1 lit. a), Art. 9 para. 2 lit. a) of the GDPR (consent): Consent to take part in the screening, be contacted by the University of Konstanz and have data shared with the RKI in order to use the Corona-Warn-App.

b) Article 6 para. 1 lit. e) and para. 3 GDPR as well as Article 9 para. 2 lit. h) GDPR in connection with:
   - §§ 1 4a of the testing ordinance "Coronavirus-Testverordnung" (TestVO) for the purpose of enabling you to retrieve your test result via the internet.
   - §§ 6-9 IfSG for the purpose of sharing the names of infected persons as per §§ 6-9 IfSG.

c) For obtaining payment from the Kassenärztliche Vereinigung Baden-Württemberg (KVBW): Article 6 para. 1 lit. e) and para. 3 GDPR as well as Article 9 para. 2 lit. h) GDPR in connection with § 7 Coronavirus-Testverordnung

6. Recipients

Internal recipients:

When the test is conducted: Staff members in the screening team who take and process samples

To inform tested persons of a positive result:
Professor Daniel R. Dietrich (dean of studies)

External recipients:

a) In case of positive test results, the data from item 4 letters a) to j) will be shared with the Gesundheitsamt (health authority) in the district of Konstanz.

b) The data from item 4 letters a), b), d), f), g) and j) to l) will be shared with the Robert Koch Institute (RKI) in Berlin.

c) T-Systems International GmbH [data from item 4 letters a), b), d), f), g) and j) to l)] as a contracting party as well as any subcontractors, agreements on contract processing have been signed.

d) For the purpose of obtaining payment for testing, the university sends the corresponding data (in anonymized form) to the Kassenärztliche Vereinigung Baden-Württemberg. In case of an audit, the data from item 4 letters a), b), d), e), g), j), k) and n) are transferred.

7. Storage duration

For potential auditing purposes, the data from item 4 letter j) will be stored until 31.12.2022, while the data from item 4 letters a), b), d), e), g), k) and n) will be stored until 31.12.2024. After these respective dates, the data will be deleted immediately.

The remaining health information will be deleted by the University of Konstanz four weeks after the test date. Additional data linked to your staff or student relationship to the university will be stored for other purposes, independent of their use for the screening programme.
The personal data shared as per item 6 will be deleted by the RKI four weeks after the test date.

The personal data shared as per item 6 will be deleted from the aforementioned internet portal four weeks after the test date.

8. Your rights

- In accordance with Article 15 GDPR, you have the right to request information from the University of Konstanz about any data it stores related to your person and/or to have incorrect data corrected as per Article 16 GDPR.
- You can withdraw your consent at any time as per Article 7 GDPR. The withdrawal of consent will not affect the lawfulness of data processing if consent had been provided before its withdrawal.
- Moreover, you also have the right to have your data deleted (Article 17 GDPR) or the processing of data limited (Article 18 GDPR).
- You have the right to data transfer, which means that you can have the data you provided us with sent to you in a commonly-used digital format, e.g. CSV, and you can share this data with others if applicable (Article 20 GDPR).
- To better understand and exercise your rights, please contact our data protection officer via email at datenschutzbeauftragter@uni-konstanz.de or contact the Department of Biology by emailing daniel.dietrich@uni-konstanz.de.
- You also have the right to file a complaint with the regulating authority if you believe that the processing and use of your personal data is in violation of the law (Art. 77 GDPR). The responsible contact person at the regulating authority is the Landesbeauftragter für den Datenschutz und die Informationsfreiheit Baden-Württemberg (state commissioner for data protection and the freedom of information in Baden-Württemberg) (https://www.baden-wuerttemberg.datenschutz.de).