Guidelines on the minimum information to be provided for students when storing non-formal, non-qualification study attainment data on liberal adult education based on consent

## Content of the guidelines

This document provides guidance to the providers of educational institutions for liberal adult education and to the staff of these educational institutions on practices related to requesting consent from students when storing information in the Koski National Registry and Data Transfer Service for Study Rights and Completed Studies (a.k.a. Koski data repository or Koski service). In addition to the guidelines, this document includes a model newsletter to inform students and a model template for requesting consent (for data storage) from students.

## Background

The Act on the National Registers of Education Records, Qualifications and Degrees allows providers of liberal adult educational to store study attainment data on non-formal and non-qualification studies in the Koski National Registry and Data Transfer Service for Study Rights and Completed Studies (Koski service) with the consent of the students. Such data may be stored only if the following conditions are met:

1. The provider of the educational institution decides to offer the opportunity to store the data in the national register.
2. The educational institution has described the education based on competences, and the scope of the studies are in the form of credits. To produce a description, the curriculum or course plan is exported to the eCurriculum service maintained by the Finnish National Agency for Education.
3. The educational institution has designed the assessment practices for the education being described.
4. The students consent to the storage of data when the students begin their studies. If the student is a minor, the consent must be acquired from the student’s parents or other custodians.
5. The student's competence is assessed by the provider of the educational institution. The assessment may be a numerical one or based on the principle of pass/fail. If a student’s study attainment is assessed to be a fail, such data is not stored in the national data repository.

When these conditions are met and once the student has completed the education, the educational institution transfers the data to the Koski National Registry and Data Transfer Service for Study Rights and Completed Studies maintained by the Finnish National Agency for Education[[1]](#footnote-1). In the case of the transferred data, the Finnish National Agency for Education and the providers of the educational institutions are joint controllers. The Finnish National Agency for Education issues more detailed provisions on the data content of non-formal liberal adult education. As joint controllers, the providers of the educational institutions are responsible for making sure the data are accurate and for ensuring that the data subjects have the right to correct their data.

In broad terms, the data content to be transferred is as follows:

1. the title of the education and its scope indicated in the form of credits;
2. the end date of the education;
3. assessment of competence.

When the providers of educational institutions first store information on a student, the following personal data on the learner are stored:

1. Surname, forenames
2. Personal identity code or the national learner ID if the student does not have a Finnish personal identity code

When storing the information, students who do not have a national learner ID are assigned one. When forming the national learner ID, the following information is stored in the national learner ID register [[2]](#footnote-2):

1. Name
2. National learner ID
3. Personal identity code (or only a national learner ID if the student does not have a personal identity code)
4. Nationality
5. Gender
6. Mother tongue
7. Contact details

The other information (4-7) in the national learner ID register maintained by the Finnish National Agency for Education is automatically generated by the Population Information System. When creating the national learner ID, the provider of the educational institution must supply the other information (4-7) separately in cases where the student has no personal identity code. The Finnish National Agency for Education instructs the providers of educational institutions to create a national learner ID for those who do not have a personal identity code.

## Data use and disclosure practices

Storing study attainment data on non-formal education aims to achieve the students’ best interests by making their skills and competence transparent. The data on liberal adult education studies stored in the National Registry and Data Transfer Service for Study Rights and Completed Studies is primarily accessible only to the respective students through their MyStudyinfo service. Students may, by using the service and with their consent, share data on studies stored in the system with third parties, such as the educational institution, for the purposes of accreditation of prior learning, or with their employer. Students share information by creating a link to the MyStudyinfo service that they can send to whoever they choose. After activating the link, the recipient can see such information to which the student has granted access.

In addition to the student, the data mentioned above are handled by the Finnish National Agency for Education and the providers of liberal adult educational institutions. Such processing is related to the data maintenance tasks of the joint controllers of the registers. Provisions on disclosure included in the Act on National Registers of Education Records, Qualifications and Degrees are excluded by law. However, in certain situations, some public authorities have the right to data contained in the Koski data repository under other legislation. These authorities include Statistics Finland and the Social Insurance Institution of Finland (Kela), for example. Under the EU’s General Data Protection Regulation, students must be informed about the processing of their data.

## Data storage period

Data on non-formal and non-qualification education in liberal adult education are stored permanently in the National Registry and Data Transfer Service for Study Rights and Completed Studies, unless the student exercises the right to object to the processing of his or her data in accordance with Article 21. This can be done for example by withdrawing the consent given, in which case the joint controllers would no longer be permitted to process the information referred to in section 9d, if the student has reasons related to a special situation of a personal nature. In the case of data subjects who are minors, the minors’ parents, other custodian or legal representative may object to the processing of data.

Upon receipt of a notification of the withdrawal of consent, the Finnish National Agency for Education examines it as follows: whether study attainment data have been used for the purposes of accreditation of prior learning, in which case it is not possible to fully erase the data; and if the study attainment data have not been further harnessed for such purposes, a process is initiated whereby the Finnish National Agency for Education deletes the data from the registry and informs the provider of the educational institution of the withdrawal of consent. In addition, the provider of the educational institution is also instructed on the measures to be taken to ensure that after consent has been withdrawn and the data have been deleted from the Koski data service, the educational information will no longer be transferred from the source system to the Koski data service. Even when the study attainment data are deleted from the national register, the consent must be retained and marked as withdrawn. Consent forms are stored permanently.

In situations where an educational institution ceases to operate in such a way that the tasks of the controller are not transferred to another legal person, the provider of the educational institution that ceases to operate must notify the Finnish National Agency for Education of the transfer of the obligation to manage consent forms to the following address: koski@opintopolku.fi and ask for instructions on how to proceed.

## Informing students when consent is requested

Students submit their consent to the providers of educational institutions, which store the data when they begin their studies. In the case of students who are minors, consent is given by the students’ parents or other custodian. Prior to consent being given, the provider of the educational institution must inform the students of how the data stored in the Koski data repository can be processed, disclosed and stored. The consent form must show that the consent was given voluntarily and expressly for storing data on given courses. When students enrol in education or, at the latest, when the courses begin, students must be informed of the processing of personal data and the rights of the data subject, as further instructed by the provider of the educational institution.

Consent for storing educational data must be obtained from the students in writing, either on paper or in digital form. When consent is given on paper, the provider of the educational institution must verify the identity of the person giving the consent by means of an official document (passport or identity card). If consent is requested in digital form, a strong initial identification or a strong identification method must be used for logging into the system. Alternatively, providers of educational institutions may also receive consent through a digital registration system without strong identification on condition the identity of the learner is checked against an official identity card at the start of the education, thereby ensuring the identity of the person who gave the consent.

The European Union Article 29 Working Party (Data Protection) has issued guidelines for the processing of consent-based personal data[[3]](#footnote-3). Where the processing of the personal data of providers of educational institutions is based on public interest rather than on consent in accordance with Article 7 of the Regulation, the guidance given in Article 7 may be used as indicative.

When requesting consent, attention must be paid to the following points and their implementation must be ensured.

1. Consent must be voluntary.
2. A description of the measures taken on the basis of consent must be described in detail and in clear language.
3. The minimum information that must be provided:
   1. Designation of controllers and data processors
   2. Description of the purposes of the processing of data based on consent
   3. Description of the collected data and how they are processed
   4. A clear possibility to withdraw the consent at any time and a clear description of how to withdraw the consent
   5. A description of the procedures by which controllers inform the consent provider of any leaks or other breaches in data security or data protection.

It is the responsibility of the provider to store the consent given by students on a permanent basis. Learners may withdraw their consent at any time. The notification of withdrawal of consent is made to the Finnish National Agency for Education through the MyStudyInfo service or in writing using a withdrawal form. The address for sending the form can be found in the privacy statement of the Koski data service.

The Ministry of Education and Culture has produced an information sheet template on the National Registry and Data Transfer Service for Study Rights and Completed Studies to inform the parents and other custodians of students and students who are minors for use by the providers of educational institutions in liberal adult education. The text content is intended for students.

## Instructions for using the information sheet template

1. The providers of institutions of liberal adult education may disseminate the information sheet template to students and parents and other custodians of students who are minors via a communication channel of their choice, such as by electronic means.
2. The providers may use the template as it is by deleting any text content that is not pertinent. If necessary, the providers may add sentences related to the Koski operations of their own educational institution to the template.

## Instructions for use where the text is highlighted in yellow:

* choose the most suitable text options for your educational institution, and
* delete any text that is redundant as well as the instructions related to the text.

### Information sheet template when requesting consent

**It is possible to store study attainment data on the competence acquired in liberal adult education in the National Registry and Data Transfer Service for Study Rights and Completed Studies.**

x.x. 20xx (fill in the date)

Educational institution (fill in the name of the educational institution) has decided to offer those participating in (fill in the title of the course/educational entity) the opportunity to store study attainment data in the National Registry and Data Transfer Service for Study Rights and Completed Studies (Koski service).

Storing study attainment data on education aims to achieve the students’ best interests by making their skills and competence transparent. The data on liberal adult education studies stored in the National Registry and Data Transfer Service for Study Rights and Completed Studies is primarily available only for access by the student through their MyStudyinfo service. Students may, by using the service and with their consent, share data stored in the Koski data repository with third parties.

Study attainment data are stored only if the students wish to do so and give their consent in writing. It is not a prerequisite for attending the education that consent should be given or study attainment data be stored. The assessment criterion used in (fill in the title of course or educational entity/number of study credits is pass/fail OR a numerical scale from X to XX). If a student’s study attainment is assessed to be a fail, such data is not stored in the Koski data repository even if consent for the transfer of the data has been given.

Where students have given consent, the educational institution must take the following measures:

* Assess the student's study attainment no later than when the the course or educational entity has been completed
* Transfer the student study attainment data to the National Registry and Data Transfer Service for Study Rights and Completed Studies
* Permanently record the student's consent

#### Data processed when storing data on study attainments

With the consent of the student, the educational institution (fill in the name of the educational institution) stores the following data in the National Registry and Data Transfer Service for Study Rights and Completed Studies:

1. the title of the education and its scope;
2. the end date of the education;
3. assessment of competence.

Consent is given by the students, or, in the case of students who are minors, consent is given by the students’ parents or other custodian, for storing data when they register or at the latest when they begin their studies, as further instructed by the provider of the educational institution. (It is possible to add a link here to the instructions of the provider of the educational institution)

In addition to the information stored by the educational institution (fill in the name of the educational institution), the Finnish National Agency for Education stores the information required for the student's national learner ID in the role of the controller of the Koski service. The national learner ID is a permanent identifier issued by the Finnish National Agency for Education, which is used to identify a person in the services of the Finnish National Agency for Education. Provisions on the national learner ID are laid down in the Act on the National Register of Students and Qualifications (section 3). When forming the national learner ID, the following information is stored in the national learner ID register [[4]](#footnote-4):

1. Name
2. National learner ID
3. Personal identity code
4. Nationality
5. Gender
6. Mother tongue
7. Contact details

The student's personal identity code updates up-to-date information on the student’s citizenship, gender, mother tongue, municipality of residence and contact details from the Digital and Population Data Services Agency. Where a student has no personal identity code, the educational institution stores the person's nationality, gender and mother tongue in the learner ID register.

[Fill in the name of the educational institution here] provider [fill in the name of the provider of the educational institution here] provides the opportunity to store study attainment data on competence acquired in liberal adult education as of X.X.20XX (Fill in the date) in the Koski service.

#### Data controllers

As joint controllers of the National Registry and Data Transfer Service for Study Rights and Completed Studies, the Finnish National Agency for Education and the providers of educational institutions for liberal adult education are responsible for the data on non-formal liberal adult education. The contact email of the Finnish National Agency for Education in matters related to the register is koski(at)opintopolku.fi and the privacy policy contains up-to-date information on the Data Protection Officer of the Finnish National Agency for Education (in Finnish and Swedish): <https://opintopolku.fi/wp/tietosuojaseloste/koski-palvelun-tietosuojaseloste/>

The data protection officer of (fill in the name of the provider of the educational institution) is (fill in the name and contact details of the data protection officer). The data controller of (fill in the name if the provider of the educational institution) is responsible for storing the data in the National Registry and Data Transfer Service for Study Rights and Completed Studies and that the data are correct and up-to-date.

#### What is the National Registry and Data Transfer Service for Study Rights and Completed Studies?

The National Registry and Data Transfer Service for Study Rights and Completed Studies is a national data repository. The information contained in it is described in the privacy policy of the registry.[[5]](#footnote-5) Provisions on the Koski data repository are laid down in chapter of the Act on National Registers of Education Records, Qualifications and Degrees (884/2017). As joint controllers of the National Registry and Data Transfer Service for Study Rights and Completed Studies, the Finnish National Agency for Education and the providers of educational institutions for liberal adult education are responsible for storing the study attainments in non-formal liberal adult education. The Finnish National Agency for Education is responsible for maintaining the National Registry and Data Transfer Service for Study Rights and Completed Studies.

The purpose in storing studies in the National Registry and Data Transfer Service is to make the non-formal competence acquired in liberal adult education visible. Non-formal, non-qualification studies in liberal adult education provide students with a wide range of competence needed in working life and leisure activities. The Koski data repository helps in the identification and recognition of such competence. As a rule, the study attainment data relating to liberal adult education stored in the National Registry and Data Transfer Service for Study Rights and Completed Studies are not used for executing out statutory official duties, improving the efficiency of administration, developing and making decisions on liberal adult education, or in the evaluation, statistical data, monitoring and research of liberal adult education. The information in the registry is available for access by the student through their MyStudyinfo service (<https://studyinfo.fi/oma-opintopolku/>).

Under the Act on National Registers of Education Records, Qualifications and Degrees, the providers of educational institutions as referred to in the Act on Liberal Adult Education shall store in the Koski data repository data on those study attainments that have been passes if the provider of the educational institution has decided to enable the storage of such information in the Koski data repository for students participating in such education and the students give their consent for storing the data. The name of the provider of the educational institution determines which education and courses and from when onwards it introduces the opportunity for data storage.

#### Data disclosure and students' opportunities to manage information

The provisions on the disclosure of information laid down in the Act on National Registers of Education Records, Qualifications and Degrees (884/2017) do not apply to the study attainment data in liberal adult education stored in the National Registry and Data Transfer Service for Study Rights and Completed Studies. This means that information cannot be disclosed under the Act on National Registers of Education Records, Qualifications and Degrees, unless the students themselves do so. In the MyStudyinfo service, students can review their own educational information and send information to third parties if they wish to do so.

This is done in the MyStudyInfo service in such a way that the student creates in the MyStudyinfo service and sends the link to a selected person. By activating (clicking) the link, the recipient can see the educational information to which the A student may select given study attainments from the data set in the Koski data repository and send the link to an educational institution or an employer, for example. The student can also deactivate the link in the service, which then affects the disclosure of the data. In practice, by removing the link the student ensures that the third party no longer has access to the information disclosed.

If students wish to make use of their study attainment data at another educational institution, they must personally ensure that the information is disclosed, as guidance counsellors do not automatically have the right to examine students’ study attainment data stored in the Koski service. In addition, students can still request a separate certificate from the educational institution on the education completed in liberal adult education.

Students may also give their consent for the disclosure of information to a third party with whom the Finnish National Agency for Education has an agreement on the transfer of data. Under the Act on National Registers of Education Records, Qualifications and Degrees, if consent is not granted for disclosure, the information is available only to the student, the provider of the educational institution that stores the information and the Finnish National Agency for Education. However, in certain situations, the authorities have the right to access information contained in the Koski service under other legislation. For example, under the Statistics Act (280/2004), Statistics Finland, and, under the Act on Student Financial Aid (65/1994), the Social Insurance Institution, have the right to access the same information in the Koski service that the provider of the educational institution could issue them.

In addition, service providers (processors of personal data) participating in maintaining and developing the Koski service have access to the personal data contained in the Koski service in information management tasks related to the duties of the controller of the Finnish National Agency for Education.

#### Retention period of personal data

The basic premise is that information on study attainments acquired in liberal adult education are stored permanently in the National Registry and Data Transfer Service for Study Rights and Completed Studies. However, by withdrawing their consent for whatever education at any given time, students may, if they wish, request that the data be deleted. The withdrawal of consent is made by notifying the Finnish National Board of Education of the withdrawal of consent through the MyStudyinfo service. If the study attainment has not been used for purposes such as the identification and recognition of competence in an educational institution or for jobseeking or receiving benefits, the Finnish National Agency for Education commences the withdrawal of consent process once it has received the measures for deleting the data. If the study attainment has already been used for any of the purposes mentioned above, it can no longer be deleted. However, the national learner ID and the identifying information on the basis of which the national learner ID was issued are always kept permanently. In addition, the Finnish National Agency for Education notifies the provider of the educational institution of the withdrawal of consent. The provider of the educational institution then records the information on the withdrawal.

#### Data subject rights

Students have the right to receive information on the processing of their personal data and to see the personal data stored in the National Registry and Data Transfer Service for Study Rights and Completed Studies (Data Protection Regulation, Article 15), the right to correct the data entered in the application (Article 16) and the restriction of the processing of personal data (Article 18). In addition, students have the right to object to the processing of data in accordance with Article 21 of the Data Protection Regulation and to withdraw their consent pursuant to Act on National Registers of Education Records, Qualifications and Degrees (884/2017) and possibly the right to delete data pursuant to Article 17 of the Data Protection Regulation. In addition, registered students have the right to lodge a complaint with the Data Protection Ombudsman. The same rights apply to the parents or custodians of students who are minors. Further instructions for the implementation of the rights can be found in the privacy policy, under the section ‘Read more’.

#### Read more

* Information for data subjects: Fill in the website address of your own municipal authority/joint municipal authority/private service provider, etc. where the materials (e.g. privacy policy) can be found for data subjects.
* National Registry and Data Transfer Service for Study Rights and Completed Studies in the Finnish National Agency for Education’s online service (in Finnish and Swedish): <https://www.oph.fi/fi/palvelut/koski-tietovaranto>
* Privacy policy for the National Registry and Data Transfer Service for Study Rights and Completed Studies (Koski service) (in Finnish and Swedish): <https://opintopolku.fi/wp/tietosuojaseloste/koski-palvelun-tietosuojaseloste/>
* National learner ID Register Privacy Policy (in Finnish and Swedish): <https://opintopolku.fi/wp/tietosuojaseloste/oppijanumeronrekisterin-tietosuojaseloste/>
* Act on National Registers of Education Records, Qualifications and Degrees (884/2017) (in Finnish and Swedish): <https://www.finlex.fi/fi/laki/ajantasa/2017/20170884>
* Act on Liberal Adult Education (632/1998) (in Finnish and Swedish): <https://www.finlex.fi/fi/laki/ajantasa/1998/19980632>

### Template for granting consent

**CONSENT for storing liberal adult education study attainment data in the National Registry and Data Transfer Service for Study Rights and Completed Studies (Koski service)**

I have read the information in the information sheet issued in connection with this consent and received sufficient information on the storing of study attainment data, on the processing of related personal data and on the ways in which I can manage the collected data and object to the processing of the data. I have also received clear instructions on how to withdraw my consent for the processing of data and on the conditions under which data can be deleted from the registers of data controllers.

I understand that the storing of study attainment data is voluntary. I have the right, at any time during or after the education, to withdraw consent without giving a reason at (fill in the name of the educational institution). I understand that denying or withdrawing my consent does not affect the education I receive and is not to my detriment if I do not give my consent or if I withdraw it later.

I have received the information related to my consent from (fill in the name of the educational institution) and I have had enough time to consider giving consent to store the information.

By signing the consent form, I accept the processing of personal data in accordance with the description given in connection with the consent up until the study attainment data have been stored in the National Registry and Data Transfer Service for Study Rights and Completed Studies (Koski service).

☐ Yes

I give my permission for the following information to be processed by the (fill in the name of the educational institution) and by the Finnish National Agency for Education, as described in the information sheet:

1. the title of the education and its scope;
2. the end date of the education;
3. assessment of competence.

AND the information required for the national learner ID register:

1. Name
2. National learner ID
3. Personal identity code
4. Nationality
5. Gender
6. Mother tongue
7. Contact details

I understand that once the data have been stored, I can manage the data on my studies through the MyStudyinfo service at <https://studyinfo.fi/oma-opintopolku/>, where I can also withdraw the consent I have given on this form.

☐ Yes

**By signing this I confirm that I accept a voluntary basis the processing of the above-mentioned data and that I have been fully informed about the data processing. At the time of signature, the provider of the educational institution checked my identity from an official document (passport or identity card).**

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*Signature*

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*Date*

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*Name in print / block letters*

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*Personal identity code*

***Consent received***

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*Signature of the recipient of the consent*

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*Name in print / block letters*

Consent is stored permanently by (fill in the name of the provider of the educational institution). If a student wishes to withdraw his or her consent, this information must be included in the consent form.

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1. <https://opintopolku.fi/wp/tietosuojaseloste/koski-palvelun-tietosuojaseloste/> (in Finnish and Swedish) [↑](#footnote-ref-1)
2. <https://opintopolku.fi/wp/tietosuojaseloste/oppijanumeronrekisterin-tietosuojaseloste/> (in Finnish and Swedish) [↑](#footnote-ref-2)
3. <https://ec.europa.eu/newsroom/article29/item-detail.cfm?item_id=623051> [↑](#footnote-ref-3)
4. <https://opintopolku.fi/wp/tietosuojaseloste/oppijanumeronrekisterin-tietosuojaseloste/> (in Finnish and Swedish) [↑](#footnote-ref-4)
5. <https://opintopolku.fi/wp/tietosuojaseloste/koski-palvelun-tietosuojaseloste/> (in Finnish and Swedish) [↑](#footnote-ref-5)