



Preamble to the Guidance on the GDPR and equality data in higher education and research

September 2026

With the launch of the [National Action Plan for Greater Diversity and Inclusion in Higher Education and Research](#) in 2020, the Dutch higher education and research sector, in collaboration with the government, took the next step towards making the sector more diverse and inclusive. The Action Plan identifies the collection of and access to data relating to students and staff as a prerequisite for achieving structural change. According to the Action Plan, data is needed to assess the scale and urgency of the issue of diversity and inclusion, to evaluate progress, and to highlight where and to what extent talent remains untapped. Therefore, one of the Plan's objectives is to expand monitoring of the intake, mobility and attrition of staff and students and, where possible, to track developments in areas such as perceived social safety and inclusion.

The importance of monitoring is widely recognised. In a recently published preliminary advice, the State Commission against Discrimination and Racism advocates making the collection of equality data¹ a statutory duty². The UN Committee on the Elimination of Discrimination

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- ¹ We follow the definition in the European Handbook on Equality Data, which is also used in the Guidance: equality data refers to 'all qualitative and quantitative information that is useful for describing and analysing the current situation with regard to equality'.
 - ² Preliminary advice 7 [Equality Data: Meten is weten, meten is macht](#) (in Dutch).

against Women (CEDAW) calls on the Dutch government to collect equality data more systematically in order to shed light on multiple, intersecting forms of discrimination³. The National Strategy for the Implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD) also calls for monitoring⁴ to track progress towards the set targets. Equality data helps to highlight inequality and the effects of policies aimed at combating that inequality. Such data is indispensable for combating structural discrimination and inequality, and for promoting greater diversity and inclusion.

The collection of data with the aim of mapping and promoting diversity and inclusion in higher education and research is not only a recognised necessity, but also a subject of debate. Since 2018, privacy legislation has been established at European level in the General Data Protection Regulation (GDPR); higher education and research institutions are required to comply with it. A persistent assumption is that monitoring diversity and inclusion is at odds with this privacy legislation; after all, measuring diversity involves personal characteristics which, under the GDPR, must be protected. A frequently asked question is therefore what higher education and research institutions are permitted to do in terms of monitoring within the framework set by privacy legislation.

Since the launch of the Action Plan in 2020, the Advisory Committee on Diversity and Inclusion in Higher Education and Research has been advising the sector and the government on diversity and inclusion. It has also commissioned the drafting of this Guidance. It sets out how and under what conditions equality data can be collected lawfully and responsibly, whilst respecting everyone's privacy and complying with the relevant legislation.

The language we have at our disposal to discuss (in)equality, diversity and inclusion is rich and constantly evolving⁵. When drafting this Guidance, it was therefore necessary to make certain choices. For example, the Guidance refers to 'dimensions of diversity', whereas elsewhere terms such as 'grounds for discrimination', 'characteristics of diversity' or 'axes of difference' may be used.

The Guidance provides those responsible for areas such as human resources policy, student analytics, diversity policy and social safety within higher education and research institutions

3 [CEDAW/C/NLD/CO/7: Concluding observations on the 7th periodic report of the Kingdom of the Netherlands.](#)

4 [Nationale strategie voor de implementatie van het VN-verdrag Handicap](#) (in Dutch).

5 See for example [Handreiking waarden voor een nieuwe taal](#) (in Dutch).

with a practical tool that not only clearly demonstrates that monitoring is possible, but also shows how it can be carried out in practice. The Guidance is primarily focused on monitoring at the institutional level. In the long term, it can serve as a source of inspiration for tracking developments at national, sector-wide levels as well. In this way, monitoring can truly become a tool that helps to create a safe learning and working environment, in which everyone feels at home and can develop, rather than a barrier on the path to greater diversity and inclusion.

The Advisory Committee on Diverse and Inclusive Higher Education and Research

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