

## **Fair Processing of Student Personal Information Policy**

Document Title	Fair Processing of Student Personal Information Policy v2.0
Document Owner	SPPU
Approved By	Information Strategy Group
Date of Publication	November 2017
Date for Review	October 2019

# Edge Hill University

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## Introduction

The University collects, holds and processes students information (referred to in this document as personal data) relating to its students. In order to manage its operations effectively, it is vital to process this information.

These activities are carried out in accordance with the Data Protection Act, the General Data Protection Regulation and the University's Data Protection Policy. The data held by the University is taken mainly from the details you provide during the application and enrolment process and personal data that the university collects during and after your time at the University. This may include sensitive personal data (which is explained below) and includes photographs. Other information may be received from some of the bodies listed below.

During registration, you give your consent for the University to process your personal data. The purpose of this fair processing notice is to inform students how their personal data will be processed and the purposes for which the data has been collected.

## What is personal data

GDPR defines personal data as “any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person”.

It includes any expression of opinion about the individual and any indication of the intentions of the University, its staff or any other person in respect of the individual.

## Special Category Data

The GDPR refers to sensitive personal data as “special categories of personal data”. The special categories specifically include genetic data, and biometric data where processed uniquely to identify an individual. Other examples of sensitive personal data include:

- racial or ethnic origin,
- political opinions,
- religious or similar beliefs,
- trade union membership,
- physical or mental health or condition,
- sexual life,
- Genetic and Biometric Data

Proceedings or sentencing in relation to any such offence or alleged criminal offence are no longer included, however similar safeguards apply to its processing in Article 10 of the GDPR.

## What is meant by ‘processed’?

The processing of data includes obtaining, recording, storing, organising, maintaining, updating, retrieving, using, disclosing and deleting.

## The General Data Protection Regulation

The General Data Protection Regulation requires the University to process personal data under six principles. The principles are similar to those of the Data Protection Act 1998, with added detail at certain points and a new accountability requirement. The principles include:

- a) processed lawfully, fairly and in a transparent manner in relation to individuals;
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is compatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be compatible with the initial purposes;
- c) adequate, relevant and limited to what is necessary in relation to the purpose for which they are processed;
- d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure the personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e) kept in form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for long periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical purposes or statistical purposes subject to implementation of the appropriate technical or organisational measures required by the GDPR in order to safeguard the right and freedoms of individuals;
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Article 5(2) requires that “the controller shall be responsible for, and be able to demonstrate, compliance with the principles.”

## The conditions under which the University processes students’ personal data

Similar to the “conditions of processing” in the Data Protection Act 1998, in order to process personal information the University must identify a lawful basis before processing the data. In order to undertake processing, one of the following conditions must be satisfied:

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6 (1)(a) - Consent of the data subject

6 (1)(b) - Processing is necessary for the performance of a contract with the data subject or to take steps to enter in to a contract

6 (1)(c) – Processing is necessary for compliance with a legal obligation

6 (1)(d) – Processing is necessary to protect vital interests of a data subject or another person

6 (1)(e) – Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

6 (1)(f) – Necessary for the purposes of legitimate interests pursued by the controller or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject.

In most cases, the University will process students' personal data under statutory obligations and/or contract conditions but there will be cases where other conditions apply. For example, the University shares information with the police under the administering justice condition, it may share information with medical services under the vital interests where there are concerns relating to a student's health and wellbeing.

## Conditions for processing Special Category data

Where the University is processing sensitive personal data, at least one of the sensitive personal data processing conditions must also be satisfied as outlined in Article 9 of the GDPR. The processing conditions are:

- Explicit consent of the data subject
- Necessary for carrying out obligations under employment, social security, social protection law, or a collective agreement
- Charity or not-for-profit bodies – The processing is carried out in the course of the legitimate activities of a charity or not-for-profit body, with respect to its own members, former members, or persons with whom it has regular contact in connection with its purposes.
- The processing is necessary to protect the vital interests of the data subject or another person where the data subject is incapable of giving consent – the processing is necessary to protect the vital interests of the data subject. This condition is only relied upon when there is no other ground available, e.g. medical emergencies.
- The individual has deliberately made the information public.
- The processing is necessary in relation to legal proceedings; for obtaining legal advice; or otherwise for establishing, exercising or defending legal rights.
- The processing is necessary for medical purposes, and that the process is undertaken by a health professional or by someone who is subject to an equivalent duty of confidentiality. This includes accessing the working capacity of employees and the management of health or social care systems and services
- The processing is necessary for reasons of public interest in the area of public health (e.g. ensuring the safety of medicinal products)
- The processing is necessary for archiving purposes in the public interest, or scientific

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and historical research purposes or statistical purposes in accordance with Article 89(1)

## Using personal data

To manage its processes, provide education and services to its students, and meet certain legal requirements, the University will process your personal data.

This processing will include obtaining, recording, storing, organising, maintaining, updating, retrieving, using, disclosing and deleting the personal data.

This personal data may include data such as name, address, date of birth, details of study, fee payments, information about examinations, assessments and results. It will also include information relating to services requested or provided. In addition to this, the University may process some sensitive personal data about you, such as details about your health in order to provide care, and information concerning religion, sexuality, gender, ethnicity and disability for planning and monitoring purposes. Also, for certain programs of study, information about past criminal convictions will be processed for statutory obligations only.

## Purposes for which personal data will be used

Your personal data will be used within the University to provide you with provision of lectures, seminars and tutorials, library and computer facilities, accommodation, services such as advice, counselling, medical care, financial assistance, pastoral support, disability and employability services, complaints and misconduct processes and alumni services.

Any personal data shared in these ways will not be excessive. For example if you live in a University Hall of Residence, Accommodation Services will need your name, address, phone number etc. in order to process your accommodation requirements, but it does not need to see your academic results.

## Sharing personal data (third party disclosures)

The University may disclose appropriate personal data, including sensitive personal data, to third parties, where there is legitimate need or obligation, during or after your period of study. Such disclosure is subject to procedures to ensure the identity and legitimacy of such agencies. These third parties may include the following (please note that this is not an exhaustive list):

## The University's partners and contractors

The University may provide personal information to its partners and contractors. In such cases, the University must ensure that this information is managed in accordance with the Act and only for the purpose for which it was provided to the partner/contractor.

Personal data about students may be disclosed to third parties attempting to recover debt on behalf of the University where internal procedures have failed.

## **The Students' Union**

Some students' personal data will be shared with Edge Hill University Students Union for the provision of membership, student representation and the delivery of services that they provide, some of which are on the University's behalf.

## **Local Authorities**

Details of students living in the West Lancashire Council area and other local authority areas which request the data are shared for the purpose of maintaining the Register of Electors.

## **Turnitin®**

The University makes use of the Turnitin® UK system to enable academic staff to assess more effectively students' work for the employment of appropriate citations and references and for potential plagiarism. Students may be required to provide a limited amount of personal data, for instance name, email address and course details and submissions, to Turnitin® when using the service.

## **HE funding councils, the Quality Assurance Agency, Higher Education Statistics Agency (HESA), Office of the Independent Adjudicator and other HE bodies**

Your personal data will be provided to HE funding councils, and associated agencies such as HESA in accordance with the regulations in place and the University's obligations.

Further details about the data shared with HESA can be found on the HESA website: [www.hesa.ac.uk/fpn](http://www.hesa.ac.uk/fpn).

If you choose to ask the Office of the Independent Adjudicator to undertake an external review of a complaint, personal information will be released to this organisation for this purpose.

## **National Student Survey**

The University is required to pass data about its students to the Higher Education Funding Council for England (HEFCE) for them to conduct the National Student Survey. This survey gives students the chance to give feedback on their experiences at the University and so informing the choices of prospective students. It is described in detail on the National Student Survey website.

## **Higher Education (HE) institutions**

Where students are involved in exchange or placement programs or where other documentation is required, the University may disclose personal data for general educational, assessment, residency or other relevant purposes.

## **Sponsors, loan organisations and scholarship schemes**

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Where students have a sponsor (who may pay your tuition fees, provide other financial support or permit release from work to undertake your programme of study) scholarship scheme or a loan provider, the University may disclose student personal data to these organisations. In such cases information will only be provided where the University is provided with a contractual agreement for the provision of such information or where the student has given permission for such disclosure.

## **Parents, guardians and other relatives**

Other than in the most exceptional of circumstances, the University will not to disclose a student's personal data to parents, guardians and any other relative without consent from the student. In situations where students have provided details of an "in case of emergency" contact in the event of a medical problem or emergency then some personal data may be provided.

## **Published information**

Unless they opt out, a student's details, will appear in the relevant graduation ceremony programme.

Photographs of students are used as part of a number of University activities. For example, all ID cards require a photo and the University retains a copy of this photo for the purposes of identification. During the course of their study, photos may also be taken of students. Students who do not wish to have their photograph to be taken should ensure that they bring this to the photographer's attention and remove themselves from any pictures. Group photographs taken will assume the permission of individuals pictured for use in University publications and publicity materials, and publications produced by third parties authorised by the University. Attendance at graduation ceremonies will assume the permission of the attendees and photographs and recordings taken one the day may be publicised on the University's website.

## **Employment agencies, prospective employers and third parties requesting confirmation of awards**

The University considers that the details of a person's degree are a matter of public record and, except where individuals have requested for their personal information to be kept confidential and the University has agreed to do this, the programme of study, award made (including classification) and date of award will be provided to those seeking verification of a graduate's qualifications.

The University will however routinely require the consent of students before providing a personal reference.

## **Police, crime and taxation**

The University may be informed by the Police when students are convicted or cautioned etc.

The University may also provide information to the Police or other organisations that have a crime prevention or law enforcement function, such as Benefit Fraud Sections

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within Local Authorities, in relation to students where necessary for the prevention or detection of a crime or the collection of taxes.

## **CCTV and automatic number plate recognition (ANPR)**

The University has a CCTV system across its estate. Cameras located on and within buildings are monitored by trained security staff. All staff operating the CCTV system do so in compliance with the Data Protection Act 1998, the 2008 CCTV Code of Practice, the Regulation of Investigatory Powers Act 2000 and the Private Security Industry Act 2001 and the University's Data Protection Policy, CCTV Policy and CCTV and Data Protection Code of Practice.

## **Professional Bodies**

Personal data relating to students on specific programs will be passed to professional bodies which accredit those programs at the University, those with a regulatory function over our programs or those where qualification on a programme facilitates membership or registration of that body. If there has been an incident of academic or professional misconduct and/or where the Head of Department believes there is a concern related to fitness to practice which may result in a risk to the public, this will also be reported to the appropriate professional body.

## **Government bodies and NGOs**

Many government bodies and NGOs have statutory powers to require the University to provide personal information. Others may request information relating to their official functions and the University will normally provide the information requested if it is deemed appropriate to do so.

## **Court Orders**

Where a court orders the University to release information, it has no choice but to disclose the information required.

## **Solicitors**

The University receives many requests for personal data from solicitors acting on a student's behalf. In such cases, before any personal data is disclosed, the University requires the solicitor to provide consent from the student to demonstrate that they are acting on behalf of that student. Solicitors often refer to this as a form of authority. In rare cases where a solicitor acting on the other side of a legal case requests information, information will only be provided where the University receives consent or a court order.

## **How students' personal data will be used after they have left the University**

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As well as maintaining student records during a student's time at the University, it continues to process personal data in connection with alumni management, external relations and development after they have left.

The University may also wish to send information about products or services which may be relevant.

Following graduation, personal data is processed by the Alumni Team at Edge Hill University as everyone who graduates automatically becomes a member of the alumni community.

The Alumni Team retain student data after graduation to keep a central record to provide graduates with a lifelong service once they leave. This includes providing a main point of contact for all graduates for issues such as academic references, replacement certificates, postgraduate discounts, Sports Centre discounts and access to the Careers Centre. Access to this data allows the University to verify when someone graduated, confirm that they are in fact an alumnus and answer/redirect their query as and when required.

The University also uses this data to continue to communicate benefits of maintaining a relationship with the University and keeping the graduate informed of the progress of the institution. The University does this without asking for financial support in return. For details of the benefits the University offers following graduation, visit [edgehill.ac.uk/alumni](http://edgehill.ac.uk/alumni).

Alumni who do not wish the University to use their personal data in any of these ways, should write to the alumni office: [alumni@edgehill.ac.uk](mailto:alumni@edgehill.ac.uk) or tick the 'opt out' box on received communications.

The University is sometimes required to give information to public authorities with responsibility for funding and regulating higher education in the UK, for public interest purposes. This includes the Higher Education Statistics Agency (HESA) and the contractor for the Graduate Outcomes Survey. For further information see the [HESA Collection Notice](#).

Having contemplated these factors, it is considered that this processing is necessary for the purposes of legitimate interests and that this does not override the rights and freedoms of the individual. For more information about how we use alumni data, view the alumni team's privacy notice at [edgehill.ac.uk/alumni](http://edgehill.ac.uk/alumni).

## Personal Data Retention

A retention schedule is a list of the time periods that records are retained. The University organises these by type of record and then provides a time period after which the record can be destroyed or should be transferred to an archive.

Certain medical information must be retained for longer periods (for example records relating to people exposed to radiation must be retained for 58 years). Other examples include:

- Records of complaints, academic misconduct and student discipline cases which are retained for 10 years
- A core record to demonstrate and verify degree results is retained for every student

permanently.

## Your rights

You have certain rights and responsibilities regarding your personal data:

- to have access and be informed what personal data about you the University holds and what they are used for
- right of access to personal data
- to update the personal data the University holds
- to be informed how the University is complying with its obligations under the Act
- to complain to the Information Commissioner if you believe that the Data Protection Act 1998 has not been complied with.

## Under the GDPR you do have additional rights, these include:

- **Right to erasure, also known as ‘right to be forgotten’** – The principle underpinning this right is to enable an individual to request the deletion or removal of personal data where there is no compelling reason for its continued processing.
- **Right to restrict processing** – This right is similar to the right under the DPA to block or suppress personal data. When processing is restricted, we store the personal data but do not further process it. We retain just enough information about the data subject to ensure that restriction is respected in future.
- **Right to data portability** - this right allows the data subject to obtain and reuse their personal data for their own purposes across different services. It allows the subject to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without hindrance to usability.
- **Right to object** – data subjects have the right to object to processing of their personal data if the processing is based on legitimate interests or the performance of a task in the public interest, direct marketing or processing for purposes of scientific/historical research and statistics.

## Providing personal data to the University

Students must ensure that all personal information provided to the University is accurate and up to date. Students should notify any changes to the Data Protection Officer [dataprotection@edgehill.ac.uk](mailto:dataprotection@edgehill.ac.uk)

## Complaints

If you believe that any part of the University is not complying with either the Data Protection Act 1998, General Data Protection Regulation or its own Data Protection Policy, you have the right to complain to the University’s Data Protection Officer. Complaints should be submitted to:

Data Protection Officer

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Edge Hill University  
St Helens Road  
Ormskirk  
Lancashire  
L39 4QP

(Email: [dataprotection@edgehill.ac.uk](mailto:dataprotection@edgehill.ac.uk))  
(Phone: 01695650791)

If you do not wish to contact the University or you are not content with the outcome of its internal processes, you have the right to complain directly to the Information Commissioner's Office at the following address:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

## Change History Record

Version	Description of Change	Approval	Date
1.0	Initial Draft		
1.1	Comments and changes		
1.2	V 1.2 protected from amendment	ISG	
2.0	GDPR Compliance Update	-	
2.1	Comment and corrections	-	
2.2	V 2.2 protected from amendment	ISG (pending)	