

Data Protection:

Fair processing of student personal information

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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 1998 (the Act) and the University's Data Protection Policy. The data held by the University is mainly taken 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

The Act defines personal data as “data which relates to a living individual who can be identified from those data or from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller”. In this case, the data controller is the University.

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.

Sensitive personal data

There is a further category of personal data called sensitive personal data which includes information relating to:

- racial or ethnic origin,
- political opinions,
- religious or similar beliefs,
- trade union membership,
- physical or mental health or condition,
- sexual life,
- the commission or alleged commission of any offence,
- proceedings or sentence in relation to any such offence or alleged offence.

The Data Protection Act 1998

The Data Protection Act 1998 (the Act) requires that the University processes personal data in accordance with eight principles:

- 1) Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless –

- (a) at least one of the conditions in Schedule 2 is met, and
- (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.
- 2) Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
 - 3) Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
 - 4) Personal data shall be accurate and, where necessary, kept up to date.
 - 5) Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
 - 6) Personal data shall be processed in accordance with the rights of data subjects under this Act.
 - 7) Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
 - 8) Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

The conditions under which the University processes students' personal data

In order to process personal information, the University must comply with one of the "conditions of processing" in Schedule 2 of the Act. These are:

- The individual who the personal data is about has consented to the processing.
- The processing is necessary:
 - in relation to a contract which the individual has entered into; or
 - because the individual has asked for something to be done so they can enter into a contract.
- The processing is necessary because of a legal obligation that applies
- The processing is necessary to protect the individual's "vital interests".
- The processing is necessary for administering justice, or for exercising statutory, governmental, or other public functions.
- The processing is in the legitimate interests of the University or a third party that the other conditions for processing do not specifically deal with. In such cases:
 - the University must need to process the information for the purposes of its legitimate interests or for those of a third party to whom it discloses the personal data
 - these interests must be balanced against the interests of the individual(s) concerned.
 - it must be fair and lawful and must comply with all the data protection principles.

In most cases, the University will process students' personal data under the consent 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 grave concerns relating to a student's health and wellbeing. In unexpected individual cases, the University will use the legitimate interests where the requirements above are met.

Sensitive personal data

Where the University processes sensitive personal data there are specific conditions listed under Schedule 3 of the Act:

- The individual who the sensitive personal data is about has given explicit consent to the processing.
- The processing is necessary so that the University can comply with employment law.
- The processing is necessary to protect the vital interests of the individual or another person
- The processing is carried out by a not-for-profit organisation and does not involve disclosing personal data to a third party, unless the individual consents. Extra limitations apply to this condition.
- 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 administering justice, or for exercising statutory or governmental functions.
- The processing is necessary for medical purposes, and is undertaken by a health professional or by someone who is subject to an equivalent duty of confidentiality.
- The processing is necessary for monitoring equality of opportunity, and is carried out with appropriate safeguards for the rights of individuals.

Using personal data

The official purposes for which the University processes personal data must be notified to the Information Commissioner annually. These are published in the Data Protection Register. This is available online and the University's entry can be found on the following page:

<https://ico.org.uk/ESDWebPages/DoSearch?reg=141496>

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, programme and modules studied, 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 ethnicity and disability for planning and monitoring purposes. Also, for certain programmes of study, information about past criminal convictions will be processed.

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, the 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 Salford 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

In order to administer exemptions of properties from council tax students' personal data will be shared with some local authorities. Only relevant information is provided.

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

Santander

From 2014/15 Santander are responsible for the creation and issue of University ID cards. In order for this to take place, the University is providing the following information to Santander: Name, University ID number, Course expiry date, School and Course. You will also be required to provide a photograph which is passed to the University.

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.

This personal data will be stored on a server based on the United States under a "safe harbour agreement" which ensures that the personal data is processed in accordance with the same standards of protection as required by the UK Data Protection Act.

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, HESA etc. in accordance with the regulations in place and the University's obligations.

Further details about the data shared with HESA can be found in the [HESA-Student collection notice](#) on the HESA website: 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 programmes or where other documentation is required, the University may disclose personal data for general educational, assessment, residency etc. purposes.

Sponsors, loan organisations and scholarship schemes

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, including classification, 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 photographers 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.

More information is given in the University's guidelines for the writing of references for students:

<http://www.infogov.salford.ac.uk/dataprot/docs/gdwriterefstudents.pdf>

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 within Local Authorities, about students if it is 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.

Website

The University's website Privacy and Cookies Policy states what the University processes information it obtains from those viewing its website:

<http://www.salford.ac.uk/small-print-pages/privacy-policy>

Professional Bodies

Personal data relating to students on specific programmes will be passed to professional bodies which accredit those programmes at the University, those with a regulatory function over our programmes or 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 School believes there is a concern related to fitness to practise 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

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, and to keep alumni informed about University activities.

Alumni who do not wish the University to use their personal data in any of these ways, should write to the alumni office: alumni@salford.ac.uk

The University also conducts the Destination of Leavers from Higher Education (DLHE) survey. This is a national survey collecting information on what leavers from higher education programmes are doing six months after qualifying from their HE course. In order to obtain up to date details, personal data is obtained from across the University.

How long is personal data retained by the University

In general student information is retained for 6 years after a student has left the university but there are a number of exceptions:

- Certain medical information must be retained for longer periods (for example records relating to people exposed to radiation must be retained for 58 years)
- Records of complaints, academic misconduct and student discipline cases are retained for 11 years
- Alumni records may be retained indefinitely
- A core record to demonstrate and verify degree results is retained for every student permanently

Your rights

You have certain rights and responsibilities around your personal data including:

- to be informed what personal data about you the University holds and what they are used for
- to access this 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 Data Protection Officer if you believe that the Data Protection policy has not been followed.
- To complain to the Information Commissioner if you believe that the Data Protection Act 1998 has not been complied with.

If you want to look at and check the accuracy of your personal data held by any part of the University, you should in the first instance request informal access to that information.

If you wish to access your personal data under the provisions of the Data Protection Act, you should make a Subject Access Request. For more details please refer to the website:

<http://www.infogov.salford.ac.uk/dataprot/requests/>

Your responsibilities

Providing personal data to the University

Students must ensure that all personal information provided to the University is accurate and up to date.

You should notify any changes of address, corrections to contact details etc. via the My Student Info website:

<http://www.mystudentinfo.salford.ac.uk/admin>

Processing personal data

Under the Data Protection Act and the University's Data Protection Policy students have responsibilities when processing personal data. These include:

- if you are considering processing personal data as part of your studies you must notify and seek approval from your supervisor before any processing takes place
- if you are processing personal data other than as part of your studies and for personal or household purposes you will not be covered under the University's registration. In such circumstances you should may wish to contact the Information Commissioner to ensure that you are doing so in compliance with the Data Protection Act 1998

Complaints

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

Matthew Stephenson
Data Protection Officer
Tel: 0161 295 6856
Email: foi@salford.ac.uk.

If you do not wish to contact the University or are not content with the outcome of its internal processes, you have the right to complain directly to the Information Commissioner. He can be contacted at:

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

Tel: 0303 123 1113