

DOCUMENT B4.9

PRIVACY POLICY

Approved – August 2018

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INTRODUCTION

Welcome to the University of Law privacy notice.

The University of Law takes the protection of your personal data very seriously and it is very important to us. Any reference to data in this notice refers to your personal data i.e. any information that may directly or indirectly identify you. The following paragraphs provide information about what we do with your data, in particular how we use your data and with whom we share your data. We are obliged to provide this information under the EU General Data Protection regulation (GDPR) and the Data Protection Act 2018.

This privacy notice aims to give you information on how the University of Law collects and processes your personal data including any data that you may provide when applying for any courses with us.

Please read the following information carefully.

We process data both within and outside the European Economic Area (EEA). We process all data in line with applicable data protection requirements.

Note on transfer of third-party data by the student. If you provide us with personal data relating to your parents, spouse, civil partner, relative or other third party, you are responsible for complying with the relevant data protection requirements. It may be necessary for you to obtain the consent of the person to transfer their data i.e. providing contact details in the case of an emergency.

Data Controller

The University of Law (“The University of Law “also referred to in this notice as “we” or “us”) is a data controller of your data and is part of The Global University Systems B.V. group of companies which is made up of different legal entities, details of which can be found at <https://www.globaluniversitysystems.com>. The University of Law registered address in England and Wales is 2 Bunhill Row, Moorgate, London, EC1Y 8HQ, United Kingdom

Our Data Protection Officer

If you have any questions about the University’s privacy policies, please contact the Data Protection Officer at The University of Law, Data Protection Officer, 2 Bunhill Row, Moorgate, London, EC1Y 8HW. E-mail dpo@law.ac.uk

Where do we obtain your data from?

We obtain the data directly from you or a third party that you have authorised to share your data with us e.g. UCAS or a company specializing in Proctoring.

We will also obtain data directly from you throughout the life of your agreement with us, this may be via letter or e-mails that you send to us. We may also collect the following data:

Special Category Data

When you make an application for a course or programme we will ask whether you have any disabilities. You are not obliged to inform us but any information you do provide will assist us to assess how we will meet our Legal and Statutory obligation in relation to your disability. Special category data in this context refers to data that we share with our Disability Support Service, such as:

- Physical disabilities and impairments
- Specific learning difficulties (e.g. Dyslexia and ADD/ADHD),
- Autistic Spectrum Conditions (e.g. Autism, Asperger's syndrome)
- Mental health conditions (e.g. anxiety and depression)
- Long term medical conditions (e.g. diabetes, cancer, arthritis)

When you enter into a Proctoring agreement with one of our third parties, they may collect some biometric data during the course of the Examination such as:

- Face screen shots
- Software to determine whether the student who started the exam differs from the person currently in the video frame
- Key stroke analysis

Criminal Offence Data

For the purposes of compliance with our Safeguarding Policy, we may ask for DBS checks or seek criminal records information in certain circumstances (we will always notify you beforehand if we require this information). This type of data is regulated under the GDPR and we ensure that we limit the use of any such data both in time and in scope and that we meet appropriate lawful grounds for processing such data.

For further information please contact us at dpo@law.ac.uk

If you fail to provide us with your Personal Data

Privacy Policy

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

We also obtain your data from the following sources, if it is necessary in the context of our relationship with you, and in line with the relevant data protection laws:

- Companies that introduce you to us, (e.g. Global University Systems, UCAS etc.)
- Publically available information sources
- Regulatory bodies
- Agents or Service providers working on our behalf
- Market researchers
- Your employer (when they are sponsoring you to study with us)

The Data we collect about you.

Personal data, or personal information, means any information about an individual from which that person can be identified. Anonymous data is therefore not treated as personal data.

We have grouped together different kinds of personal data which *we may* collect, use, store and transfer as follows:

Academic Data includes eligibility data such as education and academic history, training records, qualifications, personal statements, CVs, personal achievements and references.

Identity Data includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender, NI number, Unique Learner Number, nationality, residency status, disability declaration, criminal conviction declaration, third party student reference number where a third party shares your data with us (e.g. UCAS, HESA and similar such organisations) and photographic images.

Contact Data includes billing address, term-time and permanent residential address, country of residence, personal email address and telephone numbers.

Emergency Contact Data about next of kin names and contact details for use if there is an emergency that has involved you.

Employment Data if you are sponsored by your employer this includes employer details, start date, end dates, NI number, your job title and contact details at work (email address, telephone number and postal address).

Financial Data includes student loan information, bank account and payment card details.

Marketing and Communications Data includes your preferences in receiving marketing from us and your communication preferences.

Profile Data includes any of your usernames and passwords, enquiries made by you, purchases or orders made by you, your interests, preferences, feedback and survey responses.

Student Data includes your term time and home address, ID photo, subject of interest, chosen course or programme (or one of our partner establishments), your progress data and your results (coursework and exam, including mocks), other results from throughout your studies with us, exam scripts and transcripts, your attendance, lecturers' and tutors' feedback on you or your employer if you are a corporate student. We keep references, communications with us received by you to or from your University of Law email address, the extent of your use of any learning facilities / services by University of Law information relating to your use of the University of Law library resources (including materials checked out and overdue items) and print services, data about your membership of student groups, associations and any event attendances, information regarding mentor and mentee data, your membership of any relevant alumni network, data around your taking part in events hosted by us or advertised by us, learner analytics and profiling data, any disciplinary data, student, course, tutor- related complaints data and any claims involving you of any nature whatsoever such as extenuating circumstances, appeals and additional information as required by professional/accreditation/awarding body.

Monitoring and Reporting Requirements Data includes destination of leavers and Student Data reported to third parties (e.g. HESA, SLC) for regulatory purposes.

Transaction Data includes details about payments to and from you and other details of products and services you have purchased from us.

Visa Data for international students, including passport and previous visas data, bank statements or other financial information for satisfying ourselves that visa requirements are met.

Why do we process your data?

We process your data in order to be able to provide our services to you and in order to meet our contractual obligations as follows:

- To respond to your request for a call (or email), course enquiries, applications.
- To enter into and manage our agreement with you and to provide services to you under the agreement.
- To enrol / register you as a new student and provide student number / identity card.
- To manage our relationship with you e.g. provision of learning material, timetable etc.
- Administration of appeals, complaints, matters relating to health and conduct and to cheating and plagiarism (unfair means).
- Monitor attendance or any change in student status.

We also process your data where it is necessary to do so for our legitimate interest. A legitimate interest is where we have a business or commercial reason to process your data without it being unfair to your rights or best interests, such as developing and improving our courses and services, performing our contractual, reporting and legal duties and granting of awards. We process your data for the following legitimate business purposes:

- Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise).
- To make suggestions and recommendations to you about goods or services that may be of interest to you.
- Marketing of or about student benefits and opportunities for instance University activities, events and courses that may be of interest, services or career opportunities and professional and industrial bodies wishing to communicate with students about career opportunities.
- Administration of alumni membership.
- To keep our records updated and to study how students use our products/services.
- Equal opportunities monitoring.
- To process, fulfil and deliver our service to you by managing payments, fees and charges collection/ recovery of monies owed, accounting purposes and defence of any legal claims brought against us.
- Seeking your feedback.

We may also process your data to comply with legal, regulatory, reporting and other governance obligations including:

- To comply with applicable laws and other regulatory and reporting requirements, in particular reporting attendance to the student loan company.
- Provide health and safety, first aid assistance, emergency evacuation, hazard risk assessment and accident monitoring.
- Make adjustments to meet disability requirements / medical conditions in accordance with our Disability Support Services (DSS).
- Emergency accident / health management.

With whom do we share your data?

We will share your data with our employees who require such access in order to meet our contractual and statutory duties. Service providers instructed by us may also receive data in this context. These are companies that fall within the categories of account management services, IT services, logistics, printing services, telecommunications, debt collection, advisory and consulting services and marketing. We may also share your personal data with regulatory authorities, courts and tribunals, government agencies and law enforcement agencies (police) where required to do so.

Other parties we may share your data with, including the following

- Our parent company Global University Systems network of institutions, affiliates and partners.
- Organisations that introduce you to us (Such as UCAS, Recruitment Agencies)
- External Examiners for examination, assessment and moderation purposes
- Professional/Funding bodies and Student Loans company
- The UK Higher Education Statistics Agency (HESA). Information on HESA's use of student data is available at <https://www.hesa.ac.uk/about/regulation/data-protection/notices>
- Monitoring and Reporting Requirements Data reporting to third parties (e.g. SLC, PSRB's, DLHE, EFSA, etc.) for regulatory purposes
- Other universities, employers, prospective employers, providers of training contracts or pupillages
- Third party systems on which data may be hosted include: ELITE, Student Records Systems etc.
- University Guilds and Student Unions

Sending Data outside of the European Economic Area (EEA)

We may also share your data with recipients outside the EEA, such as the USA and India. If we do then we will make sure that it is protected in the same way as if it was being processed in the EEA.

Some countries or territories outside the EEA do not have adequate levels of data protection corresponding to the general data protection regulation. In order to protect your data and to achieve an adequate level of protection for your personal data when we transfer it to these countries or territories, we will ensure that one or more of the following safeguards are put in place:

- Your data may be transferred to a non –EEA country with privacy laws that give the same protection as the EEA.
- We may put in place a contract with the recipient that means they must protect your data to the same standards as within the EEA. This contract may be in the form of the standard EU Contractual clauses which have been approved by the European Commission.

Reasons why we may transfer your data outside the EEA could include.

- The transfer is necessary for the performance of a contract between you and us as the data controller or for the implementation of pre-contractual measures taken at your request.
 - The transfer is necessary for the conclusion or performance of a contract concluded in your interests between us as the data controller and another natural or legal person.
 - The transfer is necessary for the establishment, exercise or defence of legal claims.
 - The transfer is necessary in order to protect your vital interests or the vital interests of other persons, where you are physically or legally incapable of giving consent
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To use data analytics to: improve our products, services, marketing, customer relationships and experiences; and for market research, statistical analysis and survey purposes

You can learn more about this at the European Commission website here https://ec.europa.eu/info/law/law-topic/data-protection/data-protection-eu_en

You can also contact our Data Protection Officer if you would like further information, using the details above.

How long do we keep your personal data?

We will keep your personal data for as long as you have an agreement/contract with us. Once your agreement with us comes to an end we may keep your data for up to 10 years or longer for the following reasons.

- To meet our regulatory/legal responsibilities.
- To enable us to respond to any questions or complaints that you may have.
- To enable us to confirm your qualification/award achieved during your time of study with us.

We may need to retain your data for longer if we are unable to delete the data for legal, regulatory or technical reasons. If this is the case we will ensure that your privacy is protected.

Your Rights

You may have the following rights in relation to your data:

- **Right of access** – you have a right to access to your data and to certain information about the processing of that personal data. This information must usually be provided to you free of charge within a month of receiving your request. Exceptions to this are:
 - Examination scripts which are specifically exempt from the data subject's access rights under the General Data Protection Regulation. In general, students are entitled to know their examination marks but are not entitled to see their examination scripts. However, students are entitled to see associated examiner's comments and minutes of any examination appeals panels, which are not exempt from disclosure.
 - Examination marks that have been requested before the results are announced have to be disclosed either within 5 months of the date of the request or within 30 days of the date the results are published, whichever is earlier. In practice, this exemption prevents disclosure of exam results before they are officially announced
- **Right of rectification (correction)** – you have the right to ask for your personal data to be corrected if it's inaccurate and completed if it's incomplete.
- **Rights to be forgotten-** in certain circumstances you can ask us to erase your personal data. It's unlikely to be possible to accept your request if, for example, we have a contractual or other legal duty to retain your information.
- **Right to restriction of processing** – in certain circumstances you have a right to restrict the processing of your personal data. This may include when you dispute its accuracy (until the accuracy is proved); if you have objected to the processing (when it was necessary for our legitimate interest) and we are considering whether our legitimate interest overrides your own; or if we no longer need the data but you need us to keep it in order to establish, exercise or defend a legal claim.
- **Right of portability** – in certain circumstances, you have the right to move, copy or transfer your data to another data controller or to yourself. This right is only relevant if the data is being processed on the basis of consent or for the performance of a contract and the processing is carried out by automated means. This right is different from the right of access and the types of information you can get under the two separate rights may be different.
- **Rights in relation to automated decision making** – you may have the right to challenge and request a review of a decision that was made by automated means.
- **Right to object** – in certain circumstances, you have the right to object to the processing of your data when it is being processed on the basis of our legitimate interest. We must stop processing the data unless we can demonstrate that our legitimate interests override your own, or if the processing is necessary for legal reasons. You have an absolute right to object to processing your data for direct marketing purposes including profiling relevant to direct marketing. If you object to us processing your data for direct marketing purposes, we must accept your request and stop the processing as soon as we receive your objection.

In order to assert any of the above rights, please contact us directly using the contact details above.

In addition, you have the right to lodge a complaint in relation to our processing of your data with the supervisory authority, the Information Commissioner (ico.org).

CHANGES TO THE PRIVACY NOTICE AND YOUR DUTY TO INFORM US OF CHANGES

We may from time to time change the detail in this notice. Any changes we may make in the future will be posted on this page. Please check back frequently to see any such updates or changes. Historic versions can be obtained by contacting us.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

Next review: September 2020

Version	Amended by	Revision summary	Date
V1.0	Legal	Initial drafting	02/2015
V2.0	Legal	Update	11/2015
V2.1	Academic Board	Approval	02/2016
V3.0	Executive Board	Approval	04/2018
V3.1	Executive Board	Approval	08/08/18
V3.1	No amendments	Published	09/2018
V3.2	Deputy Academic Registrar	Revision to information on HESA	07/2019
V3.3	DPO	Reviewed	09/2020
V3.4	DPO	Updated to include Proctoring	03/2021