

Student Privacy Statement

Swansea University is the data controller and is committed to protecting the rights of students in line with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. Swansea University has a Data Protection Officer who can be contacted through dataprotection@swansea.ac.uk

This statement explains how the University handles and uses your personal information during your time as a student and after you graduate. The University is committed to protecting your information and being transparent about what information it holds. The University has a range of data protection policies and procedures in place which can be found here: <http://www.swansea.ac.uk/the-university/world-class/vicechancellorsoffice/compliance/dataprotection/dataprotectionpolicy/>.

Personal information may also be collected by other parts of the University such as Student Support Services and fair processing notices will be provided at the point of collection as required

What information do we collect about you?

Swansea University will collect information about you in the course of its dealings with you as a current or former student for example, when you apply, when you enrol and as you progress through your course. We may also receive information about you from outside the University, such as information from UCAS relating to undergraduates' UCAS applications, as well as information supplied by referees. Type of personal information processed includes, though is not limited to, the following:

- Contact details and other information submitted during the application and enrolment processes.
- Details of courses, modules, timetables and room bookings, assessment marks and examinations.
- Financial and personal information collected for the purposes of administering fees and charges, loans, grants, scholarships and hardship funds.
- Photographs, and video recordings for the purpose of recording lectures, student assessment and examinations.
- Information about an individual's engagement with the University such as attendance information and use of electronic services such Blackboard.
- Contact details for next of kin to be used in an emergency.
- Information related to the prevention and detection of crime and the safety and security of staff and students, including, but not limited to, CCTV recording and data relating to breaches of University regulations.
- Information gathered for the purposes of equal opportunities monitoring.

- Information relating to the provision of advice, support and welfare, such as data relating to the use of the services offered by the Student Support Service.
- For international students: Copies of passports, visas and any other documents required to ensure compliance with Home Office requirements as well as data for attendance purposes.
- For UK and EU students: Copies of passports or any other documents required to ensure eligibility to receive financial support from the UK government and in compliance with right to study and identification requirements.
- In some cases, the University is required to process special category data and data about actual or alleged criminal convictions and any associated proceedings.

How will your information be used and what is our legal basis?

Although it is not possible to state every purpose for which your information will be used, the following are examples of how it is likely to be used while you are a student. The number in brackets refers to the **legal basis**, as defined by the General Data Protection Regulation and detailed in the table below, relied upon by the University, in order to lawfully process your data.

- To administer your studies and record academic achievements (e.g. your course choices, examinations and assessments, and the publication of pass lists and graduation programmes). 6(1)(b), 6(1)(e).
- To assist in pastoral and welfare needs and providing information, advice and guidance services (e.g. the counselling service, services to students with disabilities and other support services) the University will sometimes need to process your personal data; which may include the sharing of your personal data, with other departments across the University in order to offer appropriate student support services, safeguard and promote the welfare of students and ensure a student's safety and security. Where your consent is not appropriate, such processing will only take place where it is necessary to protect the vital interests of the student or of another where the student is physically or legally incapable of giving consent or where sharing the information is necessary for reasons of substantial public interest, on the basis of UK law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject. 6(1)(a), 6(1)(d), 9(2)(a), 9(2)(c), 9(2)(g)
- To administer timetabling and room allocations 6(1)(b)
- To fulfil any legal requirements for example requirements on the University under the Prevent Duty 6(1)(c), 6(1)(e), 9(2)(g).
- To administer support for all your employability needs (e.g. accessing careers advice). Your information will be processed by a third party under contract in order to ensure you have access to a range of employability services that complement the University's own resources. Your information will be held after you graduate in order to ensure you maintain access to the full career

development support that the University offers all of its graduates. Further information on the support available is at: <http://www.swansea.ac.uk/sea/> 6(1)(e).

- To administer financial aspects of your enrolment as a student (e.g. payment of fees, debt collection) 6(1)(b), 6(1)(e).
- To provide or offer facilities and services to students (e.g. sporting facilities, computing facilities and the Library) 6(1)(b), 6(1)(e).
- To carry out investigations in accordance with academic and misconduct regulations 6(1)(b).
- To operate security, disciplinary, complaint and quality assurance processes and arrangements 6(1)(b).
- To produce management statistics and to conduct research into the effectiveness of our programmes of study as well as produce statistics for statutory purposes 6(1)(e), 9(2)(j)
- To monitor engagement of students on Tier 4 Visas to ensure compliance with their terms of their sponsorship 6(1)(e)
- To maximise individual's opportunities to succeed through the use of learning analytics which are used to monitor individual's engagement with their studies. This will involve the processing of data such as attendance, assessment and VLE (Virtual Learning Environment) usage to develop an overall picture of engagement. Such processing will only take place where it is necessary for the pursuit of the legitimate interests of the University or the student and only where the processing is not unwarranted and will not cause a prejudicial effect on the rights and freedoms, or legitimate interests, of the student. Sensitive / special category personal data will only be processed where the University is looking at trends and pattern analysis to produce management statistical reports 6(1)(f), 9(2)(j)
- To monitor our responsibilities under equal opportunities policies 6(1)(e), 9(2)(g)
- For Higher Education Statistics Agency (HESA) purposes - Swansea University is required to send some of the information which we collect about students to HESA for statistical analysis purposes 6(1)(e), 9(2)(j). Click [here](#) for further information about how your personal data is used by HESA.
- For Higher Education Statistics Agency (HESA) and/or a third party under contract, to conduct the Graduate Outcomes Survey after you graduate 6(1)(e). Click [here](#) for more information about how your information is used.
- For the Higher Education Achievement Report (Diploma Supplement) – to provide more detailed information about a student's learning and achievement than the traditional degree classification system 6(1)(e)
- To conduct surveys - from time to time the University runs surveys designed to gather student feedback about the experience of teaching, learning, assessment, facilities and skills development so that we are able to make improvements for all students. We may use your details to make initial contact however the resulting data is anonymised –results are aggregated to programme/department/College level if there are a minimum of 10 responses. Such processing will only take place where it is necessary for the pursuit of the legitimate interests of the University or the student and only where the processing is not unwarranted and will not cause a prejudicial effect on the rights and freedoms, or legitimate interests, of the student. 6(1)(f).
- To collate the issues and concerns via a digital platform where it is in the legitimate interest of the University to enhance overall student experience 6(1)(f).

- To enable communications to you with regards to registering with the University's campus safety app where our specific legitimate interest lies in providing students with the required information and tools to remain safe on campus 6(1)(f).
- For Council Tax exemption purposes where personal information is collated at enrolment and shared with Local Authorities where it is necessary for the pursuit of the legitimate interests of the University, the Local Authority or the student and only where the processing is not unwarranted and will not cause a prejudicial effect on the rights and freedoms, or legitimate interests, of the student. 6(1)(f).
- For voting purposes: where your consent has been provided the University will register you to vote in the UK local and General Elections 6(1)(a).
- To process your personal data after you graduate and make contact with you about alumni membership and events, new developments at the University and to update your communication preferences to ensure your experience of Swansea University Alumni Association is as rewarding as possible 6(1)(a).
- For processing in connection with the Swansea University Students' Union where it is necessary for the pursuit of the legitimate interests of the Student Union or the student in order to take part in democratic processes, benefit from representation services, join sports clubs and societies and receive communications. Where explicit consent has been provided, the University will also share ethnicity data to enable the Student Union to monitor and promote BME engagement 6(1)(f), 9(2)(a).

Legal Bases for Processing Personal Data
<p>6(1)(a) The data subject has given consent to the processing</p> <p>We may process your personal information with your consent. Consent must be freely given, informed, specific and We must keep a record of that consent. Where you have consented to a use of your data you will have the right to withdraw that consent at any time. An example may be where you have given us consent to discuss your circumstances with a representative or family member or where you wish to receive some types of communications from us after you have completed your studies.</p>
<p>6(1)(b) Processing is necessary for the performance of a contract with the data subject</p> <p>This will apply to any personal data that we process for the purposes of administering and delivering your course of study and related activities that support delivery of your course, including additional services We offer such as careers support and internal and external events opportunities that may support of your studies.</p> <p>The vast majority of uses of your personal data will be for this reason, and will apply to the data we collect when you apply for a course of study, through to your graduation.</p>
<p>6(1)(c) Processing is necessary for compliance with a legal obligation</p> <p>In some circumstances we may be required by law to collect, hold or share your personal data. For example if we are ordered by a court of law to disclose information or to meet financial reporting obligations.</p>
<p>6(1)(d) Processing is necessary in order to protect the vital interests of the data subject or of another natural person</p> <p>In some circumstances we may need to collect or share personal data when it in a person's vital interests to do so. For example we may share your personal information with the</p>

emergency services or between internal departments, such as security, our hall wardens, our accommodation service providers and welfare teams if there is significant and credible evidence to suggest that you, or someone else may be in danger.

6(1)(e) Processing is necessary for the performance of a task carried out in the **public interest**

Some uses of your personal data are required so that we can meet our obligations or duties, or to exercise our powers, as a public authority, or to support the functions of other authorities that have a public task defined within law or statute. Examples of this would include our obligation to share data with the Higher Education Statistics Authority. We may also collect and retain data to support public health or safety, safeguarding or crime prevention measures, or the need to retain a basic record of students that have studied with us and their attainment for verification of award purposes. We may also be required to share personal information with our external regulators, auditors, assessors, and professional bodies. In all cases the personal data shared will only be that which is necessary for the purposes and subject to the University having measures on place to ensure that data is handled in line with data protection laws.

6(1)(f) Processing is necessary for the purposes of the **legitimate interests** pursued by the controller or by a third party **

In some instances we may process your personal information where we judge the use to be within our legitimate interests (or the legitimate interests of another party) and where we do not deem this be a privacy intrusive or a risk to your own rights and freedoms. For example, we may need to process personal information for the purposes of identifying or rectifying issues with our IT services. Where the use of data poses no risks to individuals and is for the purposes of improving services or investigating technical issues, this is likely to be the basis that will apply.

This condition can only be used by the University if processing does not fall within our core function which is providing education and conducting research**

Where we process special category data and data about criminal convictions for the purposes set out in this notice, we rely on the following legal bases from the GDPR and DPA:

9(2)(a) The data subject has given **explicit consent** to the processing

9(2)(c) Processing is necessary to protect the **vital interests** of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent

9(2)(g) Processing is necessary for reasons of **substantial public interest**. The law which allows us to rely on this basis is section 10 DPA by virtue of Schedule 1 DPA, which also provides the legal basis for processing data about criminal convictions. Further information about the legal bases from Schedule 1 DPA on which we rely to process these types of personal data can be found in the policy Data Protection: Processing special category data and criminal convictions data.

9(2)(j) Processing is necessary for **archiving purposes** in the public interest, scientific or historical research purposes or statistical purposes. The law which allows us to rely on this basis is section 10 DPA by virtue of Schedule 1(4) DPA.

Who receives your information?

Where necessary, personal information will be shared internally within Colleges and with other departments across the University. Personal information is protected by the University and information will not be disclosed to third parties without consent, or, is otherwise permitted by law. This section outlines the major organisations and the most common circumstances in which we disclose information about students. Where this involves international transfer, information will only be transferred if it meets the conditions set down under current Data Protection legislation.

- SU Pathway College Limited, Navitas UK Holdings Limited, Navitas Limited, the International College Wales Limited and SwaN Global Education LLP trading as The College, for the purposes of administration, enrolment and academic programme performance in connection with the joint venture. This information is shared for the purposes of administering a public task in the public interest.
- Higher Education Statistics Agency (HESA) - Swansea University is required to send some of the information which we collect about students to HESA for statistical analysis purposes and to conduct the Graduate Outcomes survey. This information is shared for the purposes of administering a public task in the public interest.
- The Higher Education Funding Council Wales (HEFCW) in line with our statutory responsibilities. This information is shared for the purposes of administering a public task in the public interest.
- The University is licensed to sponsor migrant students under Tier 4 of the points-based system. The University will provide data about students on the Tier 4 Student Visa to the Home Office and its departments in order to fulfil its duties under its license. This information is shared for the purposes of administering a public task in the public interest or where it is necessary to fulfil a legal obligation.
- Parents, guardians and other relatives - other than in the most exceptional of circumstances, the University will not disclose a student's personal data to parents, guardians and any other relative. If students have provided a nominated contact in the event of a medical problem or emergency then some personal data may be provided. Further details can be found in the section Releasing information to parents, other relatives and third parties. This information is shared with your consent unless we believe it is in your vital interests, or the vital interests of another, to do so.
- Other Higher Education Institutions if for example your programme of study involves spending a period of time at an institution outside Swansea University, including at an HEI abroad or if you have come to Swansea University as a visiting or exchange student, we may need to share information about you with the other institutions involved in the exchange. This will be done for the administration of the visit, exchange or study abroad, and so that the other institution can carry out its duties in regard to your studies. We will disclose this data to the Institution because it is necessary for the performance of our tasks carried out in the public interest.
- Professional bodies (e.g. General Medical Council, Royal Society of British Architects, Law Society) in order to confirm your qualifications and accredit your

course. This information is shared for the purposes of administering a public task in the public interest.

- Work placement sites or educational partners involved in joint course provision. This information is shared for the purposes of administering a public task in the public interest.
- Employers for funded students and apprenticeships -the University will also share personal information with employers that are funders of your course and the Education and Skills Funding Agency if you are on an apprenticeship. This information is shared for the purposes of performing a public task in the public interest or where there is legal obligation.
- Sponsors, loan organisations and scholarship schemes - where students have a sponsor, scholarship scheme or a loan provider, the University may disclose student personal data to these organisations to determine whether support should continue. 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 data is shared in connection with the performance of your student contract.
- Employment agencies, prospective employers and third parties requesting confirmation of awards - the University will routinely ask for the consent of students before disclosing details of any award. However in circumstances where there is any reason to suspect the validity of an award declared to any of the above, or where a false declaration of an award is suspected, we may share limited information as to whether the award declared matches our records without consent, where this is the case it will be shared for the purposes of performing a public task in the public interest.
- UK agencies with duties relating to prevention and detection of crime, collection of a tax or duty or safeguarding national security. This information is shared for the purposes of performing a public task in the public interest or where there is legal obligation.
- Plagiarism detection service providers such as Turnitin for the purposes of enabling assessors to check students' work for improper citation and potential plagiarism. This information is shared in connection with the performance of your student contract.
- Local Authorities for purposes of council tax exemption where it is necessary for the pursuit of the legitimate interests of the Local Authorities or the student but only where the processing does not fall within our core public function, is not unwarranted and will not cause a prejudicial effect on the rights and freedoms, or legitimate interests, of the student.
- External facilities management who provide some of the University's accommodation services where information shared will be in connection with the performance of your student or accommodation contract.
- Service providers acting as processors who provide IT and system administration services where it is necessary for the pursuit of the legitimate interests of the University or the student but only where the processing does not fall within our core public function, is not unwarranted and will not cause a prejudicial effect on the rights and freedoms, or legitimate interests, of the student.

- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based who provide consultancy, banking, legal, insurance and accounting services. Where this is the case it may be shared for the purposes of performing a public task in the public interest or where the processing is under contract or necessary to fulfil a legal obligation.
- Local Authorities for voting purposes: where your consent has been provided the University will register you to vote in the UK local and General Elections.
- Swansea University Students' Union Student Union where it is necessary for the pursuit of the legitimate interests of the Student Union or the student in order to take part in democratic processes, benefit from representation services, join sports clubs and societies and receive communications. Where consent has been provided, the University will also share ethnicity data to enable the Student Union to monitor and promote BME engagement.

Any other disclosures that the University makes will be in accordance with Data Protection Legislation and your interests will be considered.

How long will your information be held?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. After graduation the University will need to maintain some records in order that it can verify awards, provide transcripts of marks and to provide academic references for career support. We will retain your personal information in line with the University Records Management Policy. Click [here](#) for more details.

Security of your information

Data Protection legislation requires us to keep your information secure. This means that your confidentiality will be respected, and all appropriate measures will be taken to prevent unauthorised access and disclosure. Only members of staff who need access to relevant parts or all of your information will be authorised to do so. Information about you in electronic form will be subject to password and other security restrictions, while paper files will be stored in secure areas with controlled access.

Some processing may be undertaken on the University's behalf by an organisation contracted for that purpose. Organisations processing personal data on the University's behalf will be bound by an obligation to process personal data in accordance with Data Protection legislation.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

International Transfers

We may transfer your data outside the European Union (EU). Whenever we transfer your personal data out of the EU, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see European Commission: Adequacy of the protection of personal data in non-EU countries.
- Where there is a legally binding agreement between public authorities or bodies.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see European Commission: Model contracts for the transfer of personal data to third countries.
- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US. For further details, see European Commission: EU-US Privacy Shield.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EU

Profiling

We may also conduct profiling activities to maximise individual's opportunities to succeed through the use of learning analytics which are used to monitor individual's engagement with their studies. This will involve the processing of data such as attendance, assessment and VLE (Virtual Learning Environment) usage to develop an overall picture of engagement.

What if you do not provide your personal data?

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.

What are your rights?

You have a right to access your personal information, to object to the processing of your personal information, to rectify, to erase, to restrict and to port your personal

information. If you have provided consent to the Swansea University to process any of your data then you also have a right to withdraw that consent. Please visit the University [Data Protection webpages](#) for further information in relation to your rights.

Any requests or objections should be made in writing to the University Data Protection Officer:-

Mrs Bev Buckley
University Compliance Officer (FOI/DP)
Vice-Chancellor's Office
Swansea University
Singleton Park
Swansea
SA2 8PP
Email: dataprotection@swansea.ac.uk

How to make a complaint

If you are unhappy with the way in which your personal information has been processed you may in the first instance contact the University Data Protection Officer using the contact details above.

If you remain dissatisfied then you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: -

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

www.ico.org.uk

Your responsibilities

You have a responsibility to keep your personal details up-to-date. During the course of your studies you may have access to personal information about others. You are expected to treat this in a responsible and professional manner and are legally required to do this under data protection legislation, as well as any professional ethics or codes of conduct. If you are made aware of personal information in confidence then you are expected to not tell anyone without the individual's consent, unless there are exceptional circumstances. You should also not seek to gain others' personal data if you are not entitled. Disciplinary action will be considered for any University member who breaches Data Protection Legislation or a duty of confidence.

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