



## **Data Protection and Use of Student Data**

### **1.0 Data Protection Act 1998 and General Data Protection Regulation**

- 1.1 The Data Protection Act 1998 (DPA) regulates the processing of personal data in any format by the Oxford Media & Business School (OMBS), including both digital and hard copy personal data and all other formats. 'Personal data' is any information relating to a living individual, and 'processing' is any activity carried out involving personal data, including holding and storing it. On 25 May 2018, the DPA will be superseded in the UK by the General Data Protection Regulation (GDPR), which provides individuals with enhanced rights, and imposes increased responsibilities on organisations processing personal data. This statement applies under both the DPA and GDPR.
- 1.2 This statement establishes the School's procedures governing the collection and release of student data and is provided to students at the application and registration stages. It includes information about how student data is used, and where it is supplied to other external parties.
- 1.3 OMBS is the data controller for all personal data that it holds and processes, except where it is done in the capacity of a data processor on behalf of another data controller. Currently the School does not use third parties to process data.

#### **The School's contact details are:**

Oxford Media & Business School, Southern House, 1 Cambridge Terrace, Oxford OX1 1RR - Telephone 01865 240963.

### **2.0 Notification to applicants and registered students**

- 2.1 OMBS may obtain, hold and process the personal data of students including personal details, family, education and training records, employment information, financial details, and services provided. It may obtain, hold and process the sensitive personal data (the term used by the DPA) and special category data (the term used by GDPR) of students including racial or ethnic origin, religious or philosophical beliefs, and physical or mental health.

- 2.2 Personal data and sensitive personal data/special category data held by the School relating to students is obtained directly from the student or applicant.
- 2.3 OMBS holds the personal data and sensitive personal data/special category data of its students in order to implement and manage all services and processes relating to students, including student recruitment, admission, registration, teaching and learning, examination, graduation and other services such as accommodation, student support and careers. Only information required for these purposes is obtained and processed, and without it the School may not be able to provide its services. Information is passed between various sections of the School for operational reasons as is necessary and proportionate for intended purposes.
- 2.4 Student personal data is collected and processed by the School as it is necessary for the performance of the contract under which the School provides services to students. Some processing activities may also be carried out under a legal obligation (for example, disclosing personal data to external parties under statutory powers), where it is necessary to protect the vital interests of the student or another party (for example, disclosures to external parties to ensure the safety and wellbeing of individuals), where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority (for example, collecting or disclosing information in order to meet regulatory or statutory requirements), or where it is necessary for legitimate interests pursued by the School or a third party (the legitimate interests will relate to the efficient, lawful and proportionate delivery of services and will not be to the detriment of the interests or rights of individuals). Where any of these legal bases do not apply, the consent of an individual to process their personal data will be sought.
- 2.5 Where students' sensitive personal data/special category data is collected and processed by the School this will be on the legal basis of explicit consent of the student, employment or social security/protection requirements, protecting the vital interests of the student or another party, the exercise or defence of a legal claim, reasons of substantial public interest, purposes of medical or health care, or where the information has been made public by the student. Any processing will be proportionate and relate to the provision of services by the School. When this data is used for monitoring and reporting purposes it will be anonymised if possible.
- 2.6 The School may disclose student's personal data and sensitive personal data/special category data to external agencies to which it has obligations; for example for council tax, electoral registration, and visa and immigration purposes, and to other arms of central or local

government, to the Higher Education Funding Council for England, Higher Education Statistics Agency, Student Loans Company, Office of the Independent Adjudicator for Higher Education, Research Councils, and potentially other such organisations for defined purposes. It may also disclose information to examining bodies, legal representatives, Police or security agencies, suppliers or service providers, survey and research organisations engaged by the School, and regulatory authorities.

If students have unpaid debts to the School at the end of their course the School may, at its discretion, pass this information to debt collecting agencies in order to pursue the debt.

3.0 The School also uses student's personal data as follows:

- 3.1 Provide references to education institutions and employers, usually with the consent of the student or graduate.
- 3.2 Publication of the names of graduating students in the degree ceremony graduation programme.
- 3.3 Disclose information about students and graduates for the purpose of promoting the School, and to their former schools for the purposes of schools liaison, but only with the consent of the student or graduate if they are personally identified.
- 3.4 Supply personal and financial details to providers of financial services engaged by the School, for example for the payment of fees, refunds, loans and similar services.
- 3.5 Disclosing information to external parties for safeguarding and duty of care purposes, for example to medical practitioners and law enforcement agencies.
- 3.6 Produce degree certificates for students.
- 3.7 Graduates of the School are still able to access employees of the School eg. the Principal for support and resources, and may be contacted after graduation to offer ongoing support with career plans, including coaching and job opportunities.

4.0 The School requires all students to participate in its attendance monitoring system. For some student groups it is a statutory requirement that the School monitors attendance (for example some international students) and there may be a requirement to report non-attendance to official bodies (e.g. UK Visas and Immigration). It also aids the School in its duty of care and

support provisions, as well as enabling the analysis of specific elements of service provision such as space management.

- 5.0 On graduating, all students automatically become members of Alumni Association. They receive the opportunity to remain in touch with fellow graduates and to be kept up-to-date on School news, events, products, services and opportunities to support the School. If you do not wish to receive these communications you must notify the Registrar – this can be done at any time after you graduate.
- 6.0 The School does not undertake processes involving applicant or student personal data that include elements of profiling or automated decision-making.
- 7.0 A basic academic record for individual students will be kept permanently by the School, with more detailed records kept for defined retention periods. Details of the retention periods attributed to different elements of student records can be found in Data retention documents.

If you have any queries about the use of student personal data outlined above then please contact the Principal on 01865 240963.

## **Individual Rights**

- 8.0 Individuals whose personal data and sensitive personal data/special category data is held by the School have the following rights regarding their data:
  - 8.1 The right to request access to their personal data held by the School.
  - 8.2 The right to have inaccurate or incomplete personal data rectified.
  - 8.3 The right to erasure of personal data – this will only apply where there is no legitimate reason for the School to continue to process the personal data. There will usually be a requirement for the School to keep a basic student record indefinitely.
  - 8.4 The right to restrict the processing of personal data – individuals have the right to block the processing of their personal data by the School in specific situations.

- 8.5 The right to data portability – students have the right to request provision of some elements of their information (for example academic progress details) in digital form in order to provide it to other organisations.
- 8.6 The right to object – students can object to the processing of their personal data by the School in certain circumstances, including the sending and receipt of direct marketing material.

All requests to exercise any of these rights should be made in writing to The Principal (Data Protection Officer).

- 9.0 Where the processing of personal data or sensitive personal data/special category data is based on the consent of the student, they have the right to withdraw their consent at any time by contacting the department or service who obtained that consent or The Principal (Data Protection Officer).
- 10.0 If a student is unhappy with the School's handling of their personal data, or believes that the requirements of the DPA or GDPR may not be fully complied with, they should contact The Principal (Data Protection Officer) in the first instance. The School's formal complaint procedure can be invoked if appropriate, and they also have the right to submit a complaint to the Information Commissioner's Office; further details can be found at [www.ico.org.uk](http://www.ico.org.uk).

## **Student and Leavers Surveys**

You may be included in surveys of leavers in the years after you graduate.

There is not requirement for you to take part in any of these surveys but participation assists the School.

If you do not want to take part in any of these surveys please contact the School's Data Protection Officer.