Cardiff Metropolitan University – Student Privacy Notice

1. **Introduction**

Cardiff Metropolitan University (Cardiff Met) takes data protection seriously. It is not possible for the University to fulfil its functions and obligations in respect of your student experience, without the provision of some of your personal data. In most cases, the University has a statutory basis for such provision, however in cases where it doesn’t, the University will ask to obtain your consent.

The processing of your personal data will always be in line with the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA2018). By means of this Privacy Notice, the University wishes to inform you of the following:

* Why the University collects and processes your personal data; and
* The rights extended to you because of the collection and processing of your data.
1. **Definitions**

Controller: The natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by the Union or Member State law.

Personal Data: 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.

Special Category Data Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purposes of uniquely identifying a person, data concerning health, or data concerning a natural person’s sex life or sexual orientation shall be prohibited.

Criminal Conviction Data The processing of criminal convictions and offences data may only be done by a ‘competent authority’ or where specifically authorised by a member state.

Data Subject: Any identified or identifiable natural person, whose personal data is processed by the Controller responsible for the processing.

Processor: A natural or legal person, public authority, agency, or other body which processes personal data on behalf of the Controller.

Recipient: A natural or legal person, public authority, agency, or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of processing.

Third Party: A natural or legal person, public authority, agency, or body other than the Data Subject, Controller, Processor, and persons who, under the direct authority of the Controller or Processor, are authorised to process personal data.

Restriction of Processing: The marking of stored personal data with the aim of limiting processing in the future.

Processing: Any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Profiling: Any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person’s performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

Consent: Consent of the Data Subject is any freely given, specific, informed and unambiguous indication of the Data Subject’s wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

1. **Name and Address of the Controller**

The Controller is:

Cardiff Metropolitan University (Registration Number [Z471616X](https://ico.org.uk/ESDWebPages/Entry/Z471616X))

Llandaff Campus

Western Avenue

Cardiff

CF5 2YB

Telephone: 02920 41 6070

Email: dataprotection@cardiffmet.ac.uk

Website: <http://www.cardiffmet.ac.uk/Pages/default.aspx>

As a Data Controller, Cardiff Met is legally responsible for processing your personal data in accordance with Data Protection legislation. In order to carry out its functions and obligations in respect to your study at the University, it is necessary for the University to collect, store, analyse and in certain circumstances, disclose your personal data.

1. **Name and Address of the Information and Data Compliance Officer**

The Information and Data Compliance Officer of the Controller is:

Sean Weaver

The Secretariat

Cardiff Metropolitan University

Llandaff Campus

Western Avenue

Cardiff

CF5 2YB

Telephone: 02920 20 5758

Email: dataprotection@cardiffmet.ac.uk

Website: <https://www.cardiffmet.ac.uk/about/structureandgovernance/Pages/Data-Protection.aspx>

You may contact Sean Weaver directly with any queries relating to data protection legislation.

Sean is the University’s Statutory Data Protection Officer fulfilling the role set out in Articles 37-39 of the UK GDPR.

1. **Name and Address of the Lead Supervisory Authority**

The Lead Supervisory Authority overseeing the Controller is:

The Information Commissioner’s Office (ICO) - Wales

2nd Floor, Churchill House

Churchill Way

Cardiff

CF10 2HH

Telephone: 0330 414 6421

Email: wales@ico.org.uk

Website: <https://ico.org.uk>

1. **Personal Data Processed by the University[[1]](#footnote-2)**
* Your name and your student number
* Your qualification details
* Your passport information or ID documents[[2]](#footnote-3)
* Your home address and/or term time address
* Your contact details including email, and telephone number
* Emergency contact details
* Your sex
* Your date of birth
* Your nationality
* Disability, wellbeing, or other medical information[[3]](#footnote-4)
* Information relating to protected characteristics as per the Equality Act 2010.
* Relevant criminal conviction information[[4]](#footnote-5)
* University attendance information (including any suspension or exclusion information)
* Your academic record including qualifications, experience, and educational and employment history
* Details of disciplinary/conduct issues
* Financial information such as how your studies are funded, tuition and accommodation fee information and any sponsorship details
* Financial information relating to your eligibility and the award of bursaries and scholarships.
* Your examination and assessment results
* Details of any pastoral or financial care or academic support given throughout your time at the University
* Details of any professional body registration

The University collects this information in a variety of ways. For example, data is collected; through the application process, obtained from your passport and/or driving license, from forms completed by you, and through interviews, meetings, or other assessments with you.

The University also holds information supplied by third parties such as references from former education providers, and information from criminal records checks (if applicable).

1. **The University’s Legal Basis for Processing your Personal Data**

In accordance with *Article 6 of the UK GDPR*, there are several legal conditions which allow us to process your data. Those relevant to you are set out below:

*Article 6 of the UK GDPR*

Consent (6.1): You have given consent to the processing of your personal data for one or more specific purposes. *Article 6.1(a) of the UK GDPR.*

Performance of a Contract (6.2): Processing is necessary for the performance of your enrolment contract with the University. *Article 6.1(b) of the GDPR.*

Legal Obligation (6.3): Processing is necessary to comply with legal obligations to which the University is subject. *Article 6.1(c) of the GDPR.*

Vital Interests (6.4): Processing is necessary in order to protect your vital interests, or the vital interests of other natural persons. *Article 6.1(d) of the GDPR.*

Performance of a Task (6.5): 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 University. *Article 6.1(e) of the GDPR.*

Legitimate Interests (6.6): Processing is necessary for the purposes of the legitimate interests pursued by the University (or by a third party), except where such interests are overridden by your fundamental rights and freedoms, which therefore requires your data to be protected. *Article 6.1(f) of the GDPR.[[5]](#footnote-6)*

The University can only process Special Category Data if it meets one of the specific conditions in *Article 9 of the UK GDPR:*

(a) Explicit consent (9.1)
(b) Employment, social security and social protection (if authorised by law) (9.2)
(c) Vital interests (9.3)
(d) Not-for-profit bodies (9.4)
(e) Made public by the data subject (9.5)
(f) Legal claims or judicial acts (9.6)
(g) Reasons of substantial public interest (with a basis in law) (9.7)
(h) Health or social care (with a basis in law) (9.8)
(i) Public health (with a basis in law) (9.9)
(j) Archiving, research and statistics (with a basis in law) (9.10)

1. **Reasons/Purposes for Processing Information**

If you are a student at the University, we need to hold and process personal data about you in order to provide you with support and guidance, to maintain up to date and accurate records, and to monitor your academic progress.

If you are an applicant to Cardiff Met or if you’re seeking to become a Cardiff Met student, we will collate information about you at application and enrolment stage in order to assess your application, organise your studies and give access to services whilst at the University. The University will also use some of the information for analysis and monitoring in line with our legal obligations.

Although not an exhaustive list below, the information that you supply when applying and/or enrolling to the University, as well as the data subsequently gathered and created by Cardiff Met during your studies, will be used to:

* Administer your application and enrolment to the University. (6.2)
* Inform Student Services where a disability or welfare need has been disclosed. This will initiate a contact procedure to identify the support you may need during your studies. (6.5, 6.6, and 9.8)
* To assist in pastoral and welfare needs (for example, counselling services, and services to students with disabilities). (6.5 and 9.8)
* Administer your studies at the University, including information relating to attendance, academic progress or misconduct, and conferment of awards, placements, assignments, and examinations, unfair practice, and appeals. (6.2 and 9.7)
* Administer financial systems and accounts. (6.2 and 6.5)
* Administer quality assurance processes. (6.5)
* Administer procedures relating to complaints and discipline. (6.2, 6.5, and 9.7)
* Submit assignments to the plagiarism detection services. (6.2)
* Provide access to and maintain the security of Cardiff Met campuses, including producing your ID card and providing CCTV coverage. (6.5)
* Administer accommodation services as appropriate. (6.2, 6.5 and 9.1)
* Provide access to University services and administer access to library and IT facilities. (6.2 and 6.5)
* Advertise and promote Cardiff Met and the services it can offer. (6.1 and 6.5)
* Administer award ceremonies, including publishing details of awards. (6.2 and 6.5)
* Statistical processing of aggregated student data by the University, or by institutions with which it is in collaboration, which may include supporting internal and external research projects in the public interest, where the University is satisfied that this will have no impact on the individuals, and that the risk of those individuals being identified is small or non-existent. (6.5)
* Equalities monitoring is an important component to identifying inequality, initiating activity, and evaluating progress as required to meet current equality legislation. Collecting data on the protected characteristics can also help institutions to:
	+ Establish an evidence base for activities, policies, and practice.
	+ Assess whether policies and practices are equitable and fair and do not disproportionately affect different groups.
	+ Use benchmarking to identify gaps in performance, seek new approaches for improvements, and adopt good practices. (6.3 and 9.7)
1. **Sharing Information with Other Organisations**

Cardiff Metropolitan University will not share or disclose your personal information to any external third party unless we are required to do so by law. The University will only share your personal data with external organisations if there is a legitimate or legislative requirement to do so. This would include sharing with;

* The Higher Education Funding Council for Wales (HEFCW) and the Quality Assurance Agency (QAA).
* The Higher Education Statistics Agency (HESA) – mainly to produce statistics. For further information please see the HESA collection notice at [www.hesa.ac.uk/collection-notices](http://www.hesa.ac.uk/collection-notices).

* Organisations or their agents that may be contracted to carry out the National Student Survey (NSS) or other surveys.
* Cardiff Met SU.
* Student Loans Company (SLC).
* Debt Collection Agencies (in the event of non-payment of monies due to the University).
* Local Education Authorities (LEAs).
* Local Council departments that are responsible for assessing council tax.
* The University will provide lists of students together with other identifying data (such as addresses) to the local Council to assist with the registration of students under the Individual Electoral Registration system (IER). Students will not become registered directly through this process; rather it is intended to help the Council identify individuals who are entitled to vote. Students should check with the Council’s Electoral Office to ensure that they are on the Electoral Register.
* The Disclosure and Barring Service (DBS) checks.
* Employers and other sponsors – where a contract exists and in accordance with the terms of that contract. Information will not normally be disclosed to an employer or parent who may be paying your fees, but with whom no contract exists, unless you have consented.
* Private accommodation providers as outlined in the Halls of Residence application process.
* Placement providers – where this is necessary.
* Education Workforce Council for those on Teacher Training courses.
* Turnitin or other plagiarism detection service.
* Examining bodies.
* In the most exceptional of circumstances, such as in the event of a serious medical problem or in the interest of your vital interests, personal data may be disclosed to a nominated contact, National Health Service representatives such as ambulance crews, GPs, community Mental Health Team, Social Services or to the Police - whichever is deemed the most appropriate.
* Graduation information will routinely be made available outside Cardiff Met, although you can ask to have your details excluded.
* Potential employers or providers of education – where Cardiff Met, or a member of staff at the University, has been given as a referee.
* Organisations such as the Police, Social Services, Department of Work and Pensions, and the UK Borders Agency, all of whom have a role in relation to preventing and detecting crime, apprehending and prosecuting offenders, and collecting tax or duty, or in relation to national security.
* Data Processors who are processing data on behalf of Cardiff Met, such as contracted agencies who provide a service, for example, external auditors and external examiners.

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

1. **Rights of the Data Subject (i.e. your rights)**

The UK GDPR affords you rights. These rights are summarised below. To assert any of these rights, you may contact the University’s Information and Data Compliance Officer at any time.

The Right of Confirmation: You (the Data Subject) have the right to obtain from the University (the Controller) confirmation as to whether personal data concerning you is being processed.

The Right of Access: You have the right to obtain a copy of any personal information stored about you by the University at any time. Furthermore, you have the right to obtain information as to whether your data is transferred to a third country or an international organisation. Where this is the case, you have the right to be informed of the appropriate safeguards relating to the transfer.

The Right to Rectification: You have the right to obtain from the University, without undue delay, the rectification of inaccurate personal data. Considering the purposes of the processing, you have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

The Right to Erasure

(The Right to be Forgotten): You have the right for any personal data concerning you to be erased by the University without undue delay, and the University has an obligation to erase the personal data without undue delay where one of the statutory grounds applies, as long as the processing is not necessary.

The Right of Restriction of Processing: You have the right to restrict the processing of your data where a statutory reason applies.

The Right to Data Portability: You have the right to receive the personal data concerning you, which was provided to another Controller, in a structured, commonly-used and machine-readable format, for purposes related to your employment with the University.

The Right to Object: You have the right to object, on grounds relating to your situation, at any time, to the processing of personal data concerning you.

Automated Individual Decision-Making: You have the right not to be subject to a decision based solely on automated processing, including profiling.

The Right to Withdraw Consent: Where consent forms the basis for processing, you have the right to withdraw your consent to the processing of your data at any time. You can withdraw consent by contacting Sean Weaver, the University’s Information and Data Compliance Officer.

The Right to Complain to the ICO: If you are unhappy with any of the University’s conduct in relation to the use of your data, you can contact the ICO using the details in Section 4 and 5 of this Privacy Notice.

If the University is relying on the substantial public interest condition in Article 9(2)(g), it also needs to meet one of 23 specific substantial public interest conditions set out in [Part 2 of Schedule 1 of the DPA 2018](https://www.legislation.gov.uk/ukpga/2018/12/schedule/1/part/2/enacted).

1. **Security of Processing**

As the Controller, Cardiff Met has implemented technical and organisational measures to ensure personal data processed remains secure, however absolute security cannot be guaranteed. Should you have a particular concern about a particular method of data transmission, the University will take reasonable steps to provide an alternate method. For more information about IT security at Cardiff Met, and keeping your data safe, please click [here](http://study.cardiffmet.ac.uk/IT/Pages/IT-Security.aspx).

1. **Transfers**

Sometimes it is necessary for the University to transfer your personal data overseas (i.e. outside of the European Economic Area [EEA]). When transfers are needed, information can be transferred to countries or territories around the world. Any transfers made will be in full compliance with all aspects of the UK GDPR and DPA2018, and in accordance with the country-specific legislation applicable to Cardiff Met.

1. **The Retention of your Data**

All personal data will only be held for as long as deemed necessary in accordance with the purposes for which that data is to be processed. The University’s [Records Management Policy](https://www.cardiffmet.ac.uk/about/policyhub/Pages/default.aspx) details the University’s approach to effective record keeping and we have internal procedures in place to ensure that information is only held for relevant retention periods and not kept longer than is necessary.

All graduates automatically become members of the Cardiff Met’s Alumni Network.

As such, some personal data is processed by our Alumni Unit following your graduation in order to keep you informed of developments within the University and to offer potential engagement opportunities. Further information on what data is kept and how it will be used is available via the [Alumni Privacy Statement](https://www.cardiffmet.ac.uk/alumni/Pages/Alumni-Data-Processing.aspx).

1. **Your Responsibilities**

During 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.

You have a responsibility to keep your personal details up-to-date and inform us of any changes if necessary.

You should not seek to obtain the personal information of third parties if you are not entitled to it. All requests for information about students generally, or about an individual student, will be carefully considered on a case by case basis. Information will only be disclosed if the legislation (UK GDPR, and the Freedom of Information Act) allows us to do so while still adhering to relevant University policies that ensure we meet our duty of care obligations. Full consideration will be given to your rights and interests and wherever necessary we will ask for your consent before disclosing information if there is no alternative legal basis for processing.

1. **Automated Decision-Making and Profiling**

The University does not process your data for automatic decision-making or profiling.

1. **General**

You may not transfer any of your rights under this Privacy Notice to any other person. The University may transfer its rights under this Privacy Notice where it reasonably believes its rights will not be affected.

If any court or competent authority finds that any provision of this Privacy Notice (or part of any provision) is invalid, illegal or unenforceable, that provision or part-provision will, to the extent required, be deemed to be deleted, and the validity and enforceability of the other provisions of this Privacy Notice will not be affected.

Unless otherwise agreed, no delay, act, or omission by a party in exercising any right or remedy will be deemed a waiver of that, or any other right or remedy.

This Notice will be governed by and interpreted according to the law of England and Wales. All disputes arising under the Notice will be subject to the exclusive jurisdiction of the English and Welsh courts.

1. **Changes to this Notice**

The University may update this notice to reflect changes in law or its privacy practices. However, Cardiff Met will not use your personal data in any new ways without your consent.

1. **How to Raise a Query, Concern or Complaint**

If you still have queries, concerns, or wish to make a complaint regarding the processing of your personal data, please refer to the contact details in Section 4 and 5 of this Notice.

1. This list is not exhaustive but includes most of the information captured at differing stages of your study, for example, data captured at application stage, enrolment, or throughout your time at the University. [↑](#footnote-ref-2)
2. Passport information reveals racial or ethnic origin which is Special Category Data and therefore requires a legal basis for processing under *Article 6 and Article 9 of the UK GDPR*. [↑](#footnote-ref-3)
3. Disability and other health information is Special Category Data which requires a legal basis for processing under *Article 6 and Article 9 of the UK GDPR*. [↑](#footnote-ref-4)
4. The UK GDPR gives extra protection to personal data relating to criminal convictions and offences. Processing this data requires a legal basis from *Article 6* and compliance with *Article 10* of the UK GDPR. [↑](#footnote-ref-5)
5. As the University is a public body, we cannot rely on legitimate interests when performing core functions. To show the University’s interests have been balanced against your interests, a legitimate impact assessment is undertaken. [↑](#footnote-ref-6)