

## **Birkbeck, University of London**

Birkbeck exists to provide life changing educational opportunities for its students and undertake cutting-edge research for the public good. In order to carry out this mission, it is necessary to process personal data.

We take our responsibilities to process your data transparently, fairly, lawfully, safely and securely very seriously. This document is part of our efforts to keep you informed about how we treat your data.

### **PRIVACY NOTICE**

#### **For the purpose of processing of admitting and enabling individuals to study at Birkbeck**

##### **About Birkbeck**

Birkbeck College (also known as Birkbeck, University of London) is the data controller for all of the personal data that it holds and processes and is subject to the General Data Protection Regulations (GDPR). Birkbeck is registered with the Information Commissioners Office (ICO) registration number Z718111X

- Address: Birkbeck College, Malet St, Bloomsbury, London, WC1E 7HX
- Birkbeck's Data Protection Officer can be contacted by emailing [dpo@bbk.ac.uk](mailto:dpo@bbk.ac.uk)

If you have any queries about how we use your data, or wish to exercise your rights with regard to your data including, making a subject access request, please contact [dpo@bbk.ac.uk](mailto:dpo@bbk.ac.uk)

##### **About Birkbeck's approach to personal data processing**

In common with all universities, Birkbeck processes the personal data of many individuals in order to carry out its mission.

You will find a complete set of information describing our data processing activities, our data privacy policy, relevant privacy notices, information about the rights of individuals whose data we process and how to exercise these rights on our website at [www.bbk.ac.uk/privacy](http://www.bbk.ac.uk/privacy).

Birkbeck has many different types of relationship with many different groups of people, and some people have more than one relationship with Birkbeck (for example one person may be both a student and member of staff). It is not possible to provide one single privacy notice that accurately describes all these processing activities. Therefore separate notices are provided that describe each processing activity. It should be noted that more than one privacy notice may apply to the processing of your personal data for different purposes. This should be made clear to you at the point where your personal data is collected. It should also be clearly described within the privacy notice itself. All our privacy notices are available at [www.bbk.ac.uk/privacy](http://www.bbk.ac.uk/privacy) and if you are in any doubt please contact [dpo@bbk.ac.uk](mailto:dpo@bbk.ac.uk).

##### **About our privacy notices**

This privacy notice explains how Birkbeck collects, uses and shares personal data and your rights in relation to the data we hold about you. It includes information about how personal data is used, and the nature of any processing by other data processors or controllers.

## The processing purpose covered by this notice

This privacy notice applies to processing of personal data by Birkbeck of people who wish to study at Birkbeck, are in the process of study at Birkbeck, or who have finished study at Birkbeck (commonly referred to as applicants, students and former students).

## What data we collect

Birkbeck may obtain, hold and process the following personal data:

- **Personal details** - name, contact details (address, phone number, e-mail), date of birth, nationality, country of birth, country of domicile, national insurance number, passport number, images of relevant supporting documents (for example passport, identity card, visa, birth certificate).
- **Educational and employment background** - names and dates of previous institutions of study and work and details of previous academic and professional achievement.
- **Funding and payment information** –bank account details (where you pay by direct debit or bank transfer, or opt to receive payments from us by bank transfer), sponsor information, UK and international student loan and career development loan information, receipt of benefits.
- **Personal circumstances** - household income, number of children, marital status next of kin contact details.
- **Special category data** – gender, racial or ethnic origin, religious beliefs, trade union membership, health and medical conditions, disability records and sexual orientation.
- **Student life** – attendance in class, use of services (including library, IT systems, careers, counselling, disability), performance in assessments, mitigating circumstances applications, records of complaints, appeals, disciplinary action, access to physical resources and buildings.

## Where we collect it from

- Information about you will be collected directly from you when you submit an enquiry or an application to study and through enrolling as a student.
- In some cases we may collect data from a third party organisation involved in the services provided by the College that has obtained the information in the first instance, for example UCAS and agents involved in student recruitment.
- We also collect data from you during your time as a student at Birkbeck, when you interact with our services and communicate with us; this includes; on-line, face to face or interactions with our IT systems.

## How we use the data

Birkbeck holds and processes your personal data in order to implement and manage all services and processes relating to delivery of the programmes of study. This includes;

- Admissions, enrolment and maintaining student records

- Teaching and learning activities; including attendance, engagement, assessment and graduation
- Student support services; including Careers and Employability Service; Birkbeck Talent; Student Advice Service; Disability and Dyslexia Service; Mental Health Advisory Service; Counselling Service; Birkbeck Evening Nursery; Study Skills).
- Providing access to Birkbeck buildings and facilities
- Collecting fees
- Assessing and paying financial support
- Complaints, appeals, disciplinary, academic misconduct
- Monitoring equal opportunities
- Safeguarding welfare of students
- Statutory reporting requirements (e.g. Office for Students and HESA)
- Communicating: Birkbeck will routinely communicate with you regarding your studies. In addition, from time to time we may send you information by post or email related to student support or further study opportunities at Birkbeck. Birkbeck also operates an alert system to keep its staff and students informed of important short-notice events (e.g. College closures) via text (SMS) messages to mobiles.

Only information required for these purposes is obtained and processed, and without it the College may not be able to provide its services. Information is accessible by various sections of the College for operational reasons as is necessary and proportionate for intended purposes.

### **Under what lawful basis we process your personal data**

Birkbeck uses your personal data under different lawful bases depending on the process being performed. The following are the legal bases identified:

- **Public Task** – Birkbeck is a designated public body/charity, processing of personal data is necessary for us to perform our tasks in the public interest and official function in delivering teaching and research. (Article 6 (1) (e))
- **Legitimate Interests** - We will keep you informed about the things going on at Birkbeck that we think you might like to know about, such as; courses you may be interested in, public lectures and events, bursaries and the research we're involved in. You can opt out of receiving this information if you wish. (Article 6 (1) (f))
- **Consent** – In some circumstances Birkbeck will only collect and process data on the lawful basis of consent. In these circumstances we will ask you to confirm your explicit consent to our processing the data at point of data collection. (Article 6 (1) (a))

**Withdrawal of consent** - you have the right to withdraw consent at any time. You can opt out by contacting [dpo@bbk.ac.uk](mailto:dpo@bbk.ac.uk)

**Special Category Data** – Birkbeck processes the special category data described in this privacy notice under condition Article 9(2)(j) for the purposes of providing this information to HESA as outlined in the HESA data collection notice and on condition

Article 9 (2) (a) for the purpose of provision of services to you as an applicant and/or student.

### **How long we keep your data for this processing purpose**

Birkbeck will retain your personal data for periods in line with legal and regulatory requirements or guidance. In most cases all data will be held for a period of 6 years after you have ceased your relationship with Birkbeck. If you enrol as a student your core data will be held indefinitely as a minimal academic record to ensure we are able to maintain an accurate record of your studies at Birkbeck. For example: title, name, date of birth, assessment marks, final award and classification.

### **Sharing your data with other Data Controllers**

The College are required for operational and legal reasons to disclose personal data to 3<sup>rd</sup> parties.

- **UK government agencies and authorities** – Including; local authorities, UKVI, OIAHE, Student Finance England, Skills Agency, Ipsos MORI.
- **Higher Education Statistics Agency (HESA)** - All universities are required by law to routinely pass certain personal data about students and staff to the Higher Education Statistics Agency (HESA). HESA is the official agency for the collection, analysis and dissemination of quantitative information about higher education in the UK. HESA has provided the following statutory statements on their data collection and is available here: [HESA Data Collection Notices](#).
- **Loan providers, sponsors and funding organisations** - For essential processing of funding the College will provide information about you to the Student Loans Company and Student Finance England, Research Councils and employer sponsors. The College may also pass your data to loan providers, sponsors, donors, and funding organisations based outside of the United Kingdom or European Union. Including the US Department of Education (International)
- **Bursaries** – Where students are in receipt of a union learn fee discount, details may be passed to the relevant trade union. Where students are in receipt of a donor funded bursary details may be passed to relevant donors for reporting purposes.
- **Students Union** – Birkbeck provides contact details to the Birkbeck Students' Union to enable it to offer appropriate services to students.
- **Partners** – Some programmes are delivered jointly with partner organisations including other universities. All partnerships are governed by an agreement including data sharing responsibilities.
- **References** – Birkbeck will provide references to education institutions and employers where specific consent has been granted.
- **Graduation** - Publication of the names of graduating students in the degree ceremony graduation programme.

### **Third Party Service Providers (use of Data Processors)**

Birkbeck uses a number of carefully selected third parties to provide services on its behalf. In some cases this requires some elements of the data we hold about you to be passed to them for the express purpose of providing a service to you on our behalf. In each case a data sharing agreement is in place that prevents the third party from making any use of the data provided for any purpose other than that expressly agreed, and requiring the provider to securely destroy the data once the service has been provided. Details of these service providers are available at [www.bbk.ac.uk/privacy](http://www.bbk.ac.uk/privacy).

### **International**

In some instances the College may transfer personal data to parties located in other countries, including some outside of the European Economic Area (EEA). This may be because either Birkbeck staff, a Data Processor (or Sub-Processor) contracted by Birkbeck, or another Data Controller who data is shared with are located outside the EEA.

All instances of overseas transfers of personal data are subject to appropriate technical safeguards and contractual provisions incorporating appropriate assurances to ensure the security of the data and full compliance with legislative and regulatory requirements.

### **Your personal data rights**

You have the following rights with regard to your personal data held by the College, dependent on the lawful basis applicable for the processing activity:

- The right to request access to their personal data held by the College.
- The right to have inaccurate or incomplete personal data rectified.
- The right to erasure of personal data – this will only apply where there is no legitimate reason for the College to continue to process the personal data and it is not done so under the lawful basis of public task.
- The right to restrict the processing of personal data – individuals have the right to block the processing of their personal data by the College in specific situations.
- The right to object – students can object to the processing of their personal data by the College in certain circumstances, including the sending and receipt of direct marketing material.
- The right to object to automated decision making and profiling – individuals have the right to object to decisions taken by automatic means without human intervention in some circumstances.
- All requests to exercise any of these rights should be made to the College's Data Protection Officer, by emailing: [dpo@bbk.ac.uk](mailto:dpo@bbk.ac.uk).

**Complaints** - If you are unhappy with the College's handling of your personal data or believe that the requirements of GDPR may not be fully complied with, you should contact the College's Data Protection Officer in the first instance. You may also follow the College's formal complaint procedure, and you 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).



## Version History & Review

This privacy notice will be subject to periodic review. Any material changes will be communicated to those affected in an appropriate manner as and when they are required.

<b>Version</b>	<b>Effective Date</b>	<b>Reason for change</b>
BBKPN001.0	24 May 2018	First Version
BBKPN001.1	11 June 2018	<i>Added legitimate interests as lawful reason for communicating with applicants and students regarding information about Birkbeck events and courses they may be interested in.</i>