

PRIVACY NOTICE

Enquirers, Applicants and Students

Introduction

This privacy notice explains how Birmingham City University (BCU) collects, uses and shares your personal data, and your rights in relation to the personal data we hold.

This notice concerns our processing of personal data of enquirers, applicants and current students. A separate notice is available for alumni including former students, staff and current and prospective supporters (available at: www.bcu.ac.uk/privacy). We will respect any personal data you share with us and keep it safe.

BCU is the data controller for your personal data and is subject to the General Data Protection Regulation (the 'GDPR') and the Data Protection Act 2018.

In order to operate as a University BCU sometimes needs to collect information about you. BCU is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations. This privacy notice explains the following:

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1. How we collect your personal data

BCU may collect your personal data in a number of ways, for example:

- We collect the vast majority of the information directly from you, through the application process (for example via UCAS) and for students during online enrolments and during your studies;
- We may also collect additional information directly from you from the information you provide to us when you interact with us, for example when you visit our website, contact us by email, telephone, post, social media or in person, register for an event, make an enquiry or respond to a questionnaire;

- We may obtain personal data about you from third parties including referees, former schools, colleges and universities, and government departments and agencies. You may have given other organisations permission to share your personal data. When appropriate we may combine third party data with data we already hold about you to fulfil the uses in section 3.

2. The types of personal data we collect

We may collect the following types of personal data about you:

- Personal details such as name, title, address, telephone number, email address, marital status, nationality, date of birth, sex and gender identity, ID Photograph, household income, parental status, details of dependents;
- Emergency contact information;
- National Insurance number (where you have voluntarily provided it or if it is required for your course);
- Education and employment information (including the school(s), sixth form college(s) and other colleges or universities you have attended and places where you have worked, the courses you have completed, dates of study and examination results);
- Other personal background information collected during the admissions process, e.g. whether you have been in care, your socio-economic classification and details of your parents' occupation and education;
- Examination records (including records relating to assessments of your work, details of examinations taken, and your predicted and actual examination grades);
- Information captured in your student record including relating to studies and placements regarding, for example, progression, attendance records, achievement of milestones and progression reports;
- Visa, passport and immigration information;
- Fees and financial support record (including records relating to the fees paid, Student Loan Company transactions and financial support, scholarships, and sponsorship);
- Supervision, teaching, and tutorial activities; and training needs analysis and skills acquisition records;
- Placement and internship record or study at another institution as an established component of your course of studies, or career development opportunity;
- Information you have shared with, or information about your engagement with, University services, such as accommodation, careers support, Faculty Student Centres, Student and Academic Services, Student Governance, Legal Services / Information Management, University sport facilities and student services, such as welfare services, including Mental Health and Wellbeing, Money and Childcare Advice and counselling services;
- Information about your use of library facilities, including borrowing and fines;
- Information about your use of facilities and collections provided by the University;
- Information about student governance topics, disciplinary actions (including academic misconduct), dispensations from regulations, and about any appeals, extenuating circumstances and or any complaints raised and review requests raised and the outcomes and consequences;
- Information shared via Report and Support or other systems;
- Attendance at University degree and award ceremonies;
- Attendance at other university events;
- Information about your use of our information and communications systems, including all IT systems, CCTV and building access information;
- Assessment activities including academic integrity indicators such as cross-matching assignment contents and reviewing draft versions of assignments made when using BCU provided software.
- Your GPS location if you travel for study purposes within scope of BCU insurance and

- 'check in' to a location via the designated app / website.
- If you participate in a teaching session, assessment or event in a way that includes you in some kind of recording or photography.

We may also process the following "special categories" of more sensitive personal data:

- Information about your race or ethnicity, sexual orientation and religious beliefs;
- Information about your health, including any disability and/or medical condition;
- Information about criminal convictions and offences (if applicable to your course).

Special category data is not used to assess applications, unless it relates to suitability for a course such as where it would prevent someone from entering a regulated profession and will only be used for the reasons set out in section 5 below.

3. How we use your personal data

We will use your data to keep a record of your relationship with the University and to deliver a range of education and support services, including:

- Responding to enquiries received via the University's internet site, telephone services, enquiry management tools and post;
- Processing data for the purpose of processing and assessing applications for study, and for purposes related to applications, such as assessing eligibility for funding and financial status;
- We process data for a number of purposes connected with student studies, including teaching, academic assessment and supervision, pastoral support, student welfare, counselling, funding and financial support, research related administration, discipline or the provision of facilities and services e.g. access to IT facilities, libraries, accommodation etc;
- Your personal data including your ID photograph will be processed for the purpose of monitoring student attendance and maintaining a digital attendance register
- Registering and maintaining a record of academic achievement, including calculation, publication and certification of examination results;
- Providing information on examinations and results;
- Organisation of award ceremonies;
- Provision of references;
- The administration of fees and charges, grants, loans, scholarships, bursaries and sponsorships;
- Sending communications from the University by post, email, social media or other electronic means;
- Contacting you by telephone;
- Providing course and other study information, including additional service information such as accommodation and ancillary service information;
- Telling you about the University, University events and sending you invitations;
- Giving you information about opportunities that we think may be of interest to you including careers advice, training, job vacancies, mentoring, auditions, information on our alumni association, volunteering and competitions;
- Sending you communications from relevant schools or faculties;
- Giving you information about further study opportunities, including the availability of postgraduate fee discounts and scholarship;
- Asking you to complete relevant surveys including, but not limited to, the Graduate Outcomes Survey or Postgraduate Research Experience Survey which are sent after the completion of your studies;
- Communications to meet statutory requirements;

- For administration purposes to maintain a secure database of your details, including updating any preference changes received from you;
- To undertake analytics, analysis and research so that we may improve the services offered by BCU;
- To undertake analytics, analysis and research so that we may inform feedback and or support to individual students and academic staff;
- Using information in aggregate (so that no individuals can be identified) for strategic development;
- We may use records of your interactions with BCU to help us to personalise our service to you and direct resources appropriately;
- We track email communications including views, opens and clicks, to help us improve our email communications and identify individuals engaging with our communications. We may add this data to your individual record and use it to personalise the communications we send to you.

4. On what basis do you process my personal data?

When we process your information, we rely on the following lawful bases:

- *Because we have a contractual obligation* to consider applications and to deliver courses and examinations to enrolled students. We will need to process your data in order to meet our obligations or exercise rights under our contract with you;
- *Where we have a legal obligation*. For example, to meet our duties under equality laws or when we are required by law to provide data to various Government departments through the Higher Education Statistics Agency (HESA);
- *Where it is necessary to meet a task in the public interest*. We may need to process your data for the purpose of teaching and related activities, such as academic assessment and supervision. Teaching is a task that we perform in the public interest in order to fulfil our responsibility as an exempt charity for promoting the advancement of learning;
- *Where it is necessary to meet our legitimate interests* or the legitimate interests of others. Examples included, but are not limited to, the following:
 - inviting you to take part in surveys or enabling third parties to conduct surveys on our behalf;
 - asking you to provide additional information; and
 - notifying you of changes to course information.
- There may be situations where we ask for *your consent* to process your data e.g. where we ask you to confirm if you want to hear about other opportunities at BCU (you will always be able to opt out of receiving such communications).
- Where it is necessary in order to protect your or another person's *vital interests* (i.e. an interest which is essential for your or their life).

If you fail to provide certain information when requested for the purposes of assessing applications, delivering courses and or examinations, we may not be able to meet our contractual obligation to consider your application, to deliver the course to your or to comply with our other legal obligations.

We will only process your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another related reason and that reason is compatible with the original purpose. If we need to use your data for an unrelated purpose, we will seek your consent to use it for that new purpose.

Please note that we may process your data without your knowledge or consent where this is required or permitted by law.

5. How we use special category data and criminal conviction data

Special category data and criminal conviction data require a higher level of protection. Listed below are examples of processing activities that we regularly undertake in respect of these types of data. In addition to the activities listed below, it may sometimes be necessary to process this sort of information for exceptional reasons, for example, because it is necessary to protect your vital interests or those of another person. We may also process your special category data to identify your eligibility for certain scholarships aimed to address underrepresentation.

Health (including disability)

We will process data about your health where it is necessary to consider and provide advice, support and reasonable adjustments and/or to monitor equal opportunities. Processing of this nature is necessary to meet contractual obligations, other legal obligations or is allowed in law such as through substantial public interest conditions. There may also be situations where we ask for your explicit consent to share information about your health. The term health encompasses all health such as but not limited to physical health, including maternity related topics, mental health and disabilities. The University may also hold confidential data on a student's health where it is necessary to do so for the provision of specific services, such as counselling and accommodation. Health information is also used for health and safety purposes, for example for risk assessments on and off campus and personal emergency evacuation plans (PEEPS) on and off campus, including in university accommodation.

Criminal Offence Data

Data about criminal convictions or barring decisions will only be collected where it is necessary. Some details of a student's criminal record may be held where it is necessary for admissions, for the purpose of determining eligibility to train for a particular profession or if the police / security services decide that the university should be aware of and hold such information. If a course requires additional screening, you will be advised before the screening takes place. Processing of this nature is necessary to meet our legal obligations and will be subject to suitable safeguards. Criminal offence data may also be processed for the purposes of safeguarding you or others including, but not limited to, on campus and in university accommodation. The assessment of a risk posed may involve sharing your declaration with limited, relevant staff including, for example, senior representatives of key departments such as Admissions, Student Governance, Student Services and the relevant Faculty. See the [Appropriate Policy Document at the end of the Data Protection Policy](#) for more information about when and why BCU processes criminal offence data.

Racial or ethnic origin, sexual orientation and religious belief

Data about your racial and ethnic origin, religious belief or sexual orientation will only be processed where you have volunteered it and where we need to process it in order to meet our statutory obligations under equalities and other legislation. This processing is considered to meet a substantial public interest, and we will seek to anonymise the data as soon as practicable.

6. Who we share personal data with

We may share your personal data with any relevant staff, business areas, departments and faculties within BCU where necessary in order to provide you with provision, services and support and to enable BCU to carry its necessary functions.

For the purposes referred to in the privacy notice, we may share your personal data with certain

third parties for the purposes of delivering educational and ancillary services or in order to perform our contractual and other legal responsibilities. We may, where relevant and necessary, need to share your information with the following types of organisations:

1. Your funders and/or sponsors, including the Student Loan Company and research councils;
2. Your referees;
3. External organisations offering University-sponsored services including student surveys;
4. UK and overseas governmental bodies or agencies responsible for immigration, student loans, verification of identification, and security including cybersecurity, radicalisation and counter-terrorism.
5. The Students Union;
6. If you have or are seeking a particular relationship with a third party, for example, accommodation providers, other universities, schools, health and social care providers or providers of external training and placements;
7. Examination boards and awarding bodies;
8. Employers or prospective employers and other educational institutions;
9. The Higher Education Statistics Agency (HESA). Further information on how HESA uses this data is available from the [HESA website](#); (Use the search term 'collection notices' for information about how HESA may use your personal data)
10. Any relevant professional statutory regulatory bodies for relevant courses;
11. Regulatory bodies and auditors, for example if records had to be lawfully inspected by the Information Commissioners Office;
12. Office for Students (OfS) and or the Office for the Independent Adjudicator (OIA);
13. Relevant public bodies, including but not limited to the police, the UK Home Office; HM Revenue and Customs; and local authorities;
14. To obtain industry-endorsed accreditation from third parties for university charter awards or university courses, including but not limited to the Advanced Higher Education (HE) Race Equality Charter Award and Creative Skillset accreditation; and
15. The National Health Service or other medical practitioners.
16. Organisations assisting BCU with activities such as surveys, including the National Student Survey (NSS), Graduate Outcomes Survey (GOS) and Postgraduate Research Experience Survey (PRES).
17. Organisations assisting BCU with BCU marketing, recruitment, and assessment activities.
18. Other educational establishments as necessary, for example affiliate and partner institutions, student status verifications, to assist with safeguarding of yourself or others, to uphold processes regarding appropriate conduct or to assist with topic regarding courses linked to regulated professions.
19. External parties for safeguarding purposes, for example the police, NHS, social services, Disclosure and Barring Service (DBS) etc.
20. External parties as necessary in order to process legal claims, insurance claims or when BCU is seeking legal advice.
21. External parties as necessary to complete data rights requests, for example, if you use a third party to submit a subject access request on your behalf.
22. External parties such as the Information Commissioner's Office (ICO) or tribunals as necessary.

Where information is shared with third parties, we will seek to share the minimum amount necessary.

If we use a third party as detailed above, we will always ensure that appropriate controls are in place to ensure that BCU shares personal data legally. If you are considering applying for a placement in the USA, please read section 7 about where your personal data is stored.

7. Where is my personal data stored?

The secure databases BCU uses to store your data are kept in the UK. However, some of the personal data we process about you may be transferred to, and stored at, a destination outside the European Economic Area ("EEA"), for example where it is processed by staff operating outside the EEA who work for us or for one of our suppliers, or where personal data is processed by one of our suppliers who is based outside the EEA or who uses storage facilities outside the EEA.

In these circumstances, your personal data will only be transferred on one of the following bases:

- a. a European Commission decision provides that the country or territory to which the transfer is made ensures an adequate level of protection; or
- b. where the transfer is subject to one or more of the "appropriate safeguards" for international transfers prescribed by applicable law (e.g. standard data protection clauses adopted by the European Commission); or
- c. there exists another situation where the transfer is permitted under applicable law (e.g. where we have your explicit consent).

Please note that the USA is not a country which the European Commission currently considers as automatically providing an adequate level of protection for personal data (although there are some specific organisational exceptions). Therefore, if you choose to apply for a placement in the USA, whilst BCU will ensure that the transfer of your personal data to that placement is legal according to UK data protection laws, it will not have the level of protection that it would have within the UK data protection laws.

8. How we keep your personal data safe

BCU is committed to safeguarding your personal data. Whenever you provide such information, we are legally obliged to use your information in line with all applicable laws concerning the protection of personal information, including the Data Protection Act 2018 and the General Data Protection Regulation. In relation to all our records these are held within a dedicated and secure database system hosted on a secure network with access limited on a need-to-know basis. A range of administrative, technical, physical security controls are used to ensure a robust approach to protecting data held on University IT systems, and when approved transfers between third parties are undertaken. For more information a copy of BCU's overarching Data Protection Policy is available on the [policies](#) page of the BCU website.

9. How long is your personal data kept?

We will hold your personal information within a secure dedicated database for as long as necessary to provide educational and ancillary services to you. Where you have indicated you no longer wish to receive any services your information will be retained and securely and permanently destroyed in accordance with the BCU retention and destruction policy.

Where a record has not been used and or there is no active engagement (for example there has been no response to required correspondence), BCU may class the record as dormant or may delete the record in accordance with the BCU retention and destruction policy. When appropriate BCU will email you to confirm your preferences and to notify you of any intention to delete your records if no response is received.

10. How we keep your personal data up to date and communication preferences

BCU wants to ensure that we keep the details we hold about you up to date and communicate with you fully in accordance with your wishes. You should also get in touch with us if any of your personal details change. 1. Will you be contacted for marketing purposes?

BCU will only send you marketing emails or contact you via your selected preference selections were you have expressly agreed to this. We may personalise the message content based upon information you have provided. You can update your details and your communication preferences during enrolment tasks, by contacting Academic Services, or at any time:

By Email to: informationmanagement@bcu.ac.uk

By Post to: Data Protection Officer
Information Management Team
Birmingham City University
1st Floor, Joseph Priestley Building
6 Cardigan Street
Birmingham
B4 7BD

11. Your rights

Under the Data Protection Laws, you have the following rights:

- **Request access** to your data (commonly known as a “subject access request”). This enables you to receive a copy of your data and to check that we are lawfully processing it. You can submit a Subject Access Request (SAR) in accordance with the [Subject Access Requests \(SAR\) Procedure](#);
- **Request correction** of your data. This enables you to ask us to correct any incomplete or inaccurate data we hold about you.
- **Request erasure** of your data. This enables you to ask us to delete or remove your data in certain circumstances, for example, if you consider that there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your data where you have exercised your right to object to processing (see below).
- **Object to processing** of your data where we are relying on our legitimate interests (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your data for direct marketing purposes.
- **Request the restriction of processing** of your data. This enables you to ask us to suspend the processing of your data, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your data to another party

Depending on the circumstances and the nature of your request it may not be possible for us to do what you have asked, for example, where there is a statutory or contractual requirement for us to process your data and it would not be possible to fulfil our legal obligations if we were to stop. However, where you have consented to the processing (for example, where you have asked us to send you certain types of communication), you can withdraw your consent at any time, by emailing us at informationmanagement@bcu.ac.uk. In this event, we will stop the processing as soon as we can. If you choose to withdraw consent it will not invalidate past processing and it may impact our ability to provide particular additional services to you. Further

information on your rights is available from the [Information Commissioner's Office \(ICO\)](#).

If you wish to exercise any of your rights, please contact our Data Protection Officer using the following contact details:

By Email to: informationmanagement@bcu.ac.uk

By Post to: Data Protection Officer
Information Management Team
Birmingham City University
1st Floor, Joseph Priestley Building
6 Cardigan Street
Birmingham
B4 7BD

12. How to ask questions or raise concerns.

If you have any questions, comments or concerns about how we use or handle your personal data please contact the Data Protection Officer using the contact details in section 11 above.

If you are not content with how we handle your information you can contact our Data Protection Officer. If that does not resolve the matter, you also have the right to complain directly to the Information Commissioner at: <https://ico.org.uk/concerns/> or via post at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Information about the Information Commissioner is available at: <https://ico.org.uk>.

13. Where can I get more information?

[Birmingham City University's Data Protection Policy and Appropriate Policy Document](#)
[Birmingham City University's Privacy Notices](#)
[The Information Commissioner's Office \(ICO\) information for members of the public](#)
[Subject Access Request Procedure](#)

14. Changes to this privacy notice

This privacy notice may be updated from time to time so you may wish to check it each time you submit personal information to BCU. The date of the most recent versions will appear on this page (see version control). We encourage you to check our privacy notice from time to time to ensure you understand how your data will be used and to see any minor updates. If material changes are made to the privacy notice, for instance how we would like to use your personal data, we will provide a more prominent notice (including, for certain services, email notification or correspondence of privacy notice changes). We may also notify you in other ways from time to time about the processing of your personal data.

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