



University of
St Andrews

University privacy notice: exchange of student personal data with partner institutions and other educational collaborations

Document type	Policy
Scope (applies to)	Staff and students
Applicability date	03/10/2018
Review / Expiry date	09/04/2021
Approved date	23/04/2020
Approver	VP Governance
Document owner	Head of Information Assurance and Governance
School / unit	IT Services
Document status	In draft
Information classification	Public
Equality impact assessment	None
Key terms	[Key terms]
Purpose	To inform students how their personal details may be exchanged with partner institution or another body collaborating with the University to provide an educational experience, and how those data will be used.

Version number	Purpose / changes	Document status	Author of changes, role and school / unit	Date
2.1	Minor updates following Data Privacy Impact Assessment (November 2019), confirming basis for transfer of personal data for issues of	Approved	C Milne, Head of Information Assurance and Governance	March 2020

	substantial public interest			
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Purpose

The purpose of this this privacy notice is to inform undergraduate, taught postgraduate and postgraduate research students (“students”) who are thinking about or who are engaged to study with a partner institution or another body collaborating with the University to provide an educational experience, as to what personal data and/or special characteristic personal (“personal data”) will be transferred from the University to a partner institution/collaborating body etc., how those data will be used and the reasons why such transfers/exchanges are necessary where:

- The University is a student’s home institution, and they are going to study and/or work with a partner institution or another collaborative body e.g. an employer who is facilitating an industrial/work placement for a period of time, before returning to St Andrews to complete their studies; or
- Students have arrived at the University having commenced their studies with a partner institution and are studying here as part of a collaborative arrangement, with the intention of returning to complete their studies at their home institution.

The information provided herein supplements other University privacy notices produced for students. Individuals should also refer to those notices for more specific details how their personal data will be collected and used by the University. University privacy notices are available from: www.st-andrews.ac.uk/Data-Protection

The identity and the contact details of the controller

University of St Andrews, College Gate, North Street, St Andrews, KY16 9AJ, Fife, Scotland, UK. The University is a charity registered in Scotland, No SC013532.

The contact details of the University Data Protection Officer

Mr Christopher Milne, Head of Information Assurance and Governance, University of St Andrews, Buts Wynd, North Street, St Andrews, KY16 9AJ, Fife. Email dataprot@st-andrews.ac.uk

What personal data will be transferred/exchanged between the University and a partner institution etc.?

Typically, the following personal data will be transferred:

- Your personal details - name, date of birth, contact details, family/next of kin;
- Academic performance. This could include information on attendance, and will contain details of academic credits achieved, qualifications on entry; and
- Conduct. This could include information on matters of academic and non-academic conduct where these may have a bearing on your standing as a student with your home institution, which may also include details of any suspected i.e. live proceedings not yet concluded or proven breach of academic and/or non-academic regulations in force at the partner institution, unpaid debts due to the partner institution.

The purposes for which personal data will be used to support educational provision with a partner institution, collaborating body or industrial placement

Preparing for and managing the provision of a higher education or training at a partner institution etc.

- The administering of applications to study.
- The creation and maintenance of a student record, by the partner/receiving institution.
- Administering access to services and facilities provided by or through the University as necessary to support your education and time spent with a partner institution, e.g. access to Library lending facilities, ICT account creation and provision for e-mail services, production of a Student ID card.
- The organisation and delivery of teaching events at the partner institution with which the University engages for providing part of your education.
- Communicating with individual students and the student body, i.e. the dissemination of information to you from an overseas partner institution or any of its agents on (a) any matter(s) (internal or external) that are connected to your education and/or the services and facilities available to you as a student and (b) any matters necessary to maintain the health, safety and wellbeing of the student community.
- The organisation and administration of activities to assess your educational achievement and progress, e.g. written examinations, on-line tests, viva-voce.
- The determination whether academic work submitted is consistent with partner institution requirements. This may include the application of measures to detect and prevent academic dishonesty, i.e. plagiarism detection services.
- The administration and execution of all processes/procedures concerning, as necessary for the partner institution to manage their relationship with an individual:
 - Student complaints;
 - Appeals (academic and non-academic); and
 - Student discipline.

The provision of student support (welfare) services when studying/working away from the University

- The administration and management of student residential services – including the monitoring and use of facilities for billing purposes.
- The admission and provision of health care services provided by or through the partner institution. This may include passing details of specific medical conditions and/or medication to understand whether study at an overseas partner institution etc. is compatible with maintaining student wellbeing.
- Liaison with third parties to secure the safety, security and well-being of students.

Continuation of a studies at an individual's home institution

The administration of the continuation education at the home institution. This will include the transfer to the University, or from the University to a partner institution any information/details to –

- Manage academic progression, which could include advising of proven instances of academic misconduct, where a breach of University policy/regulation will have a bearing on an academic award/academic progression at the host institution; and
- Resolve any outstanding issues of relevance to the University and/or a partner institution e.g. outstanding debt, necessary to maintain collaborative agreements between parties, so not to threaten future opportunities for other students.

When engaging with partners the University will require, via contract or other form of agreement that conditions that limit the use of personal data to support the purposes set out herein are put in place.

Substantive public interest

Should a student, whilst studying at the University face non-academic misconduct procedures, concerning matters which give rise to questions of the safety and/or wellbeing of others, then the University may transfer details, including advising of matters which are or have been before the Police and/or the Courts to the home institution. The bases available to the University to make such transfers are set out in the DPA 2018. Where possible, the University will advise students in advance where such a transfer may be made.

Risks

Institutions located outwith the European Economic Area (“the EEA”) may have different data protection laws compared to those provided for in European and UK law. This may mean that individuals have different privacy rights when their details are collected and used by institutions outside the EEA.

The University prior to working with partner/collaborating institutions will conduct due-diligence, which includes assessing how personal data will be protected. Where individuals choose to continue their studies at institutions outwith the EEA must be prepared to accept that different standards and rights may apply over their personal data.

The bases for passing personal data to a third party outside the EEA

The University must have good reason to pass personal data to a third party, in this context, a partner/collaborating host institution, which can be another university or an employer where an ‘industrial placement’ will be undertaken.

When individuals opt to study with a partner institution that is a university, in most instances they will be required to matriculate with that ‘host’ institution. The receiving institution will be acting under their own powers when making use of personal data and as a matriculated student individuals will be required to abide by rules and regulations of that host.

In such circumstances the following may apply:

- **Contract** i.e. the transfer is necessary for the performance of a contract between the student and implementation of pre-contractual measures taken at the student’s request to continue their studies with a partner/collaborating institution –

Students who study with a partner/collaborating institution will enter into a separate agreement (i.e. a contract) with the University and where there is a requirement to matriculate with the receiving ‘host institution’, as additional terms and conditions of study and participation will apply.

When students whose home institution is the University, agree to the terms and conditions surrounding study with an overseas partner institution etc., the University, who will make arrangements for their studies to continue with a partner institution etc. To service that contract, at a student’s request the University will be required to pass personal data to the receiving institution, as described herein.

- **Consent** i.e. for circumstances where there is no contract in place, the University will seek express i.e. written consent, to the proposed transfer of personal data, and will advise individuals of possible risks where data protection laws of the host country/territory do not equate to those available in the EU or the UK.

If express consent is sought individuals have no obligation to provide their permission for any personal data transfer. However, individuals must be aware that if they opt not to consent then it may not be possible for their studies to continue with a partner/collaborating institution as described herein.

Consent can be withdrawn at any time, if permission is withdrawn then no further transfer of personal data would take place. However, this may mean that the period of study with a host institution will then have to end.

- **For protecting the vital interests of individuals.**
 - Vital interests in this context mean protecting the life and wellbeing of an individual. For example, the University would inform the emergency services of known medical conditions of a student where they had lost consciousness.
- **Substantial public interest**
 - This means transferring details of non-academic disciplinary outcomes concerning substantive matters (assessed under stage 2 of University student disciplinary procedures), to a home institution, where the relevant exemption in the DPA 2018 is engaged. This could involve the transfer of details of alleged criminality to a host institution, who may then advise the relevant law enforcement agencies.
 - Where possible an individual would be advised in advance that the University intends to make such a transfer; that will not be possible where to do so would or would be likely to prejudice an investigation undertaken by the Police or other law enforcement agencies.

The right to lodge a complaint with a supervisory authority

If you believe that the University has not made use of your personal data, in line with the requirements of the law, you have the right to raise this with the regulator i.e. the UK Information Commissioner Office's ("the ICO"), after you have first raised any issues with the University.

Details on how to contact the ICO are available online, at:

- <https://ico.org.uk/global/contact-us/>

Revision of the Privacy Notice

This Privacy Notice will be reviewed at regular intervals. The review period will be approved by the University and recorded on the accompanying coversheet. Any significant change to relevant legislation, University policy or procedures primarily concerned with the protection of personal data may trigger an earlier review.

Availability

This Privacy Notice will be published on the University website; a copy of this notice will be made available to students who are considering continuing their studies with a partner institution or other collaborative body.

Should a copy of this Privacy Notice be required in another form, including orally i.e. an audio recording, please contact dataprot@st-andrews.ac.uk.

Version number	Purpose / changes	Document status	Author of changes, role and school / unit	Date
1.0	First version	Approved	C Milne, Office of the Principal	10 April 2018
2.0	Second version, amended following confirmation of legal basis for processing, University Information Compliance Group, May 2018	Approved	C Milne, Office of the Principal	30 August 2018