



# Applicant / Student Privacy Statement

Published on RGU [website](#) June 2021

## Purpose

Robert Gordon University (RGU) needs to process and retain certain personal information relating to you because you are an applicant/student of the University. All of your personal information will be treated in accordance with the terms of the Data Protection Act and the UK General Data Protection Regulation (GDPR)

## Legal Conditions

The legal conditions under which RGU processes applicant / student personal data are described in [GDPR Article 6](#) and are summarised for you below:

### **Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract [Article 6(1)(b)]**

When you apply to RGU, accept an offer and/or enrol, you enter into a contract with the University. The personal information we collect from you is required so that RGU can provide the educational services and facilities to fulfil the contractual relationship.

### **Processing is necessary for compliance with a legal obligation [Article 6(1)(c)]**

RGU will collect and process your personal data where required to do so by law in order to make available to other agencies/organisations (for example for the Home Office/UK Visas and Immigration).

### **Consent of the data subject [Article 6(1)(a)]**

There may be situations where RGU will need to ask you for your consent to process some specific personal information - if the “need” falls out with the scope of your contract with the University. The exact nature of the process requirements will be



explained to you at the point of data collection. Consent will always be truly optional. The University will rely on consent, as a legal basis, for processing personal data of members of the public who have provided it whilst making enquiries about studying at RGU.

**Processing is necessary to protect the vital interests of a data subject or another person [Article 6(1)(d)]**

For RGU “vital interests” would mean “to protect the life and wellbeing of an individual”. For example, if RGU was notified of a serious concern for a particular student’s wellbeing the University might need to share relevant personal data with the emergency services.

**Processing is necessary for the purposes of legitimate interests pursued by the controller or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject [Article 6(1)(f)]**

RGU will use legitimate interest as the legal basis under which it processes CCTV and passes information to the Alumni Association.

**How does RGU get your Personal Data?**

The personal information RGU holds about you is obtained from a number of sources, including the following:

Source of Data	Type of Data
Information you have provided on your application form (including applications made via a third party such as UCAS or recruitment agencies)	Name, Date of Birth, Gender, Education Info, disability information etc.



Information you have provided RGU with at enrolment and during the course of your studies	Contact address, nationality, ethnic origin, religion, disability/learning difficulty information, sexual orientation, care leaver information etc.
Information RGU has built up about you during your studies	Attendance data, module results, library records, use of services, payment of fees, debts accrued, misconducts, complaints etc.
From partner organisations such as professional bodies, employers, or other educational establishments	Confirmation of membership, registration number, confirmation of employment, qualifications etc.
From external bodies such as Disclosure Scotland	Disclosure/PVG - Full report of any criminal convictions and penalties
Scottish Funding Council (SFC)	The SFC will share data in order to maintain a national Articulation Data Base
From Graduates/Alumni who engage with Alumni and/or Employability services	Contact details including name, address, phone number and email addresses

### **Processing your Personal Data - Contract with RGU (6.1.b)**

When you apply to RGU, accept an offer and enrol, you enter into a **contract** with the University and agree that it can process your personal information for administrative and educational purposes. The purpose of processing under this contract includes, but is not limited to, the following:



<b>Before you become an RGU student</b>
Recruitment, admission and enrolment
<b>While you are an RGU student</b>
Administering and providing education and training this includes maintaining your student record and managing academic processes
Managing and administering the University, including accommodation services
Administering grants and loans and also administering financial matters including payment of fees and recovery of debt
Providing advice and support to you (including health services, attendance monitoring, disability, welfare and pastoral services, careers services)
Managing behavioural or disciplinary issues and complaints
Managing work related experiences
Managing University services including library, careers and events
Monitoring IT accounts to ensure compliance with IT Acceptable Use Policy (see policy for detail)
Monitoring quality and performance of course provision within RGU
Equality monitoring to meet our equality duty (legal basis GDPR Art 6.1.c- legal obligation)
<b>When you have finished your studies</b>
Graduation and confirmation of awards
Statistical and archive purposes.



## Personal Data Disclosed to Others

In order to deliver the contracted educational services and facilities your data may be provided, without your explicit consent, to organisations including but not limited to:

Organisation	Personal Data
Debt Controllers	Details regarding the specific debt and contact details for the student involved.
Placement providers	Name, date of birth, course of study, gender etc.
Third party education and training providers	The University may share your personal data with third party education and training providers which have been approved by the University to provide a service relevant to your education.
Research surveys approved by the University covering student progress, attitudes, social and financial circumstances	including the National Student Survey (NSS), the International Student Barometer (ISB), and Graduate Outcomes
Partner educational institutions	<p>Student progression data passed to ICRGU for their past students to enable ICRGU to quality assure their programmes.</p> <p>Student record for students participating in student exchange programmes.</p>



Skills Development Scotland	Academic performance and/or progression data of Graduate Apprenticeship students will be shared with Skills Development Scotland.
Scottish Funding Council	The University will share data relating to your University attendance along with equality monitoring data for the purpose of maintaining a national articulation data base.
Overseas Governments or sponsors	Government bodies may need to validate degrees, and require University confirmation of the degree certificate in order to do so, as well as many sponsors expecting (as terms of the agreement/contract) a report on a student's performance.
RGU Student Union	Name, date of birth, course details and contact information is shared with RGU Students' Union so that it can support academic representation, running of elections, administering clubs, societies and sports clubs and social marketing activities. (If you do not want us to share your information with the Students' Association you can opt out of this by contacting: <a href="mailto:records@rgu.ac.uk">records@rgu.ac.uk</a> )
Your Student Email	<p>Student email is provided by a third party, not by RGU. RGU discloses some personal information to this third party in order that they can provide the email service. Students should refer to the third party's terms of use and privacy policy which are available at the logon screen.</p> <p>This personal data is held in accordance with the Data Protection Act and GDPR and will be processed either in the European Economic Area (EEA) or, if processed</p>



	<p>outside the EEA, will have a level of protection the EEA deems adequate.</p> <p>You, as the student, and not the University, have responsibility for any personal data stored within your email account.</p>
--	---

## Processing your Personal Data

To Comply with a Legal Obligation (6.1.c) and to process data necessary for the performance of a task carried out in the public interest (6.1.e.).

### Personal Data disclosed under Statutory or Regulatory Obligation

To fulfil RGU's statutory or legal obligations (Article 6.1.c.) or where it is necessary for RGU to perform a task which is in the public interest (Article 6.1.e.) your data may be provided, without your explicit consent, to organisations or agents acting on their behalf including but not limited to:

Organisation/Agent	Personal Data
Higher Education Statistics Agency (HESA)	<p>The University is required by law, to make available to the relevant funding council(s), personal data on its students and its graduates. Those data are made available to the Higher Education Statistics Agency (HESA) either directly by the University or indirectly via a funding body or through the "Graduate Outcomes" survey.</p> <p>For more information please refer to the <a href="#">HESA Student data collection notice</a>.</p>



The Scottish Funding Council (SFC)	Anonymised Student FTE data at the level of stage of course along with some anonymised detail on student characteristics.
The Student Loans Company (SLC)	Confirmation of student enrolment status
Federal Direct US Loans	Confirmation of student enrolment status
The Student Awards Agency for Scotland (SAAS)	Confirmation of student enrolment status
Local Authorities	RGU discloses a range of data (including names, dates of birth, student ID number, start date, expected end date, addresses, telephone numbers and e-mail addresses) of students to; Aberdeen City and Aberdeenshire Councils so that liability for <a href="#">Council Tax</a> may be established and the tax collected.
Electoral Registration Office	The University is required under <a href="#">Regulation 23 of the Representation of the People (Scotland) Regulations 2001</a> to provide the local Electoral Registration Office with information to facilitate the compilation of the Register of Electors. We will therefore disclose names and addresses of students who are eligible to vote, and are resident in University Accommodation for this specific purpose.
Home Office/UK Visas and Immigration (UKVI)	If you require a visa to study at RGU you must comply with the terms of your visa and with all University requirements





	<p>and obligations as a Home Office Points Based System sponsor licence holder.</p> <p>RGU is required to report to the Home Office in relation to students' subject to immigration control who:</p> <ul style="list-style-type: none"><li>• withdraw from their course prior to travel to the UK</li><li>• whose start date is delayed before they enter the UK but after they have been granted entry clearance</li><li>• fail to enrol</li><li>• defer their studies after arriving in the UK and are no longer studying</li><li>• discontinue their studies</li><li>• have a change to their expected end date</li><li>• who fail to maintain contact with the University</li><li>• have had their sponsorship withdrawn by the University</li></ul> <p>RGU may also be required to provide the Home Office with other information in relation to individual student(s).</p>
Higher Education Funding Council for England (HEFCE)	Including agents managing the Research Excellence Framework (REF)
Professional bodies	Personal data may be shared with an appropriate professional body in order to confirm your qualifications and accredit your course (e.g. Nursing & Midwifery Council, Royal Society of British Architects, Law Society of Scotland, Scottish Social Services Council, General Pharmaceutical Council). A full list of the courses which are recognised or accredited by a Professional, Statutory



	or Regulatory Body (PSRB) by School is available on the University's <a href="#">website</a> .
--	--

## **Processing your Personal Data - Consent (6.1.a)**

Where the processing of your personal information is not covered by contract, then RGU will require another legal reason to process your data. One of the other legal bases for processing Personal Data is “Consent”. Should RGU need to ask for your consent then exactly what you are consenting to will be made clear to you at the point that you are asked to give consent. Consent will always be truly optional.

If RGU has asked for your consent in order to process your personal data you can withdraw this consent in whole or part at any time. RGU will explain the consequences of doing so in any particular case if you contact RGU to withdraw consent.

## **Enquiries about studying opportunities**

To assist the University, respond to enquiries about studying at RGU we may share your data with carefully selected third parties e.g. International College at RGU (ICRGU), Q.S Enrolment Solutions, or University staff located in third countries. Where it is necessary to process your information in third countries we have appropriate safeguards in place to ensure your rights as a data subject are met.

## **Graduation**

Graduation ceremonies are public events. Names of graduands, including those graduating in absentia, are published in the graduation programme. Audio and visual images of ceremonies may be made publicly available via the sale of DVDs and live broadcast at the venue, on campus and on the Internet. Graduation listings are also published in the press and you will be offered the opportunity to “opt in” to have your name included in these listings.

RGU may take photographs and other images for possible use in University publicity and promotional material. Graduands who do not wish to be included in a “group shot”, must inform the photographer at the time the photograph is taken.



## **Degree verification**

[HEDD](#) is the UK Higher Education's official system for candidate verification and university authentication. If an employer, agency, university, embassy or council wishes to verify whether you are a current or past student of Robert Gordon University, or wish to confirm the award and grade you received, and your dates of attendance they can do so through HEDD. The University will only progress the HEDD data verification request once it is satisfied that the consent of the data subject has been given.

## **Overseas partners**

Your personal information will be processed by the University and shared with the Overseas Partner for the purposes of providing academic updates to satisfy the commitments for study agreed between you and the Overseas Partner. This consent does not affect any other obligations which may exist between you and the Overseas Partner.

Further information on how the University processes your personal data, including how long your personal data is kept, why it is processed, and your right to withdraw consent, is contained within the University's [Student Privacy notice](#).

If you have any queries about your personal information being shared in this way, please contact [dp@rgu.ac.uk](mailto:dp@rgu.ac.uk).

## **Processing your Personal Data – Legitimate Interest (6.1.f)**

### **Alumni engagement**

The University has a legitimate interest in maintaining contact with all of its alumni. Therefore, upon graduating, your data will be shared with the University's advancement portfolio and retained for the purposes of managing effective engagement. These activities may include providing updates and news about the University; conducting alumni market research; offering additional career or professional enrichment support; facilitating management of your queries via the



AskRGU system; and/or providing information about volunteering, events and other activities, and philanthropic objectives of the University. Communications preferences can be managed on the University's [website](#) or by contacting [service@alumni.rgu.ac.uk](mailto:service@alumni.rgu.ac.uk). The Employability and Professional Enrichment Hub may contact alumni of the University to offer support in developing their life long career plans and professional development, sample their career success and to illicit support for the ongoing employability development of current students.

### **Personal Data disclosed under “Legitimate Interest”**

Your data may be provided, without your explicit consent, to organisations including but not limited to:

<b>Organisation</b>	<b>Reason for Personal Data Sharing</b>
Embassies and other Governments	For international students the University may confirm your dates of study and academic award to your embassy to assist with the recognition of your academic award in your home country.
Law enforcement agencies	For the prevention, detection of crime and apprehension of offenders.
Relevant authorities	Dealing with emergency situations at the University.
RGU Foundation	This will be done in accordance with a data sharing agreement



## **Special Category data**

The University requires to process data which is to which Article 9 of GDPR, refers to as Special Category Data. This may include the following categories of data:

- Political opinions
- Racial or ethnic origin
- Religious or philosophical beliefs
- Trade union membership
- Health
- Sex life/sexual orientation
- Biometric data

The University relies on the legal basis outlined in Article 9, as follows, of GDPR to process this data:

- 9(2)(a) – With your explicit consent
- 9(2)(b) – Necessary for carrying out obligations under employment, social security or social protection law, or a collective agreement
- 9(2)(c) – necessary in the vital interests of the data subject or another individual
- 9(2)(g) – necessary for reasons of substantial public interest
- 9(2)(i) – necessary for reasons of substantial public interest in the area of public health
- 9(2)(j) – necessary for archiving purposes in the public interest, or scientific and historical research purposes or statistical purposes.

## **Processing of Data relating to Criminal Convictions (Article 10 of GDPR)**

Where the University believes it is necessary for the prevention or detection of an unlawful act, necessary to protect vulnerable persons or where criminal conviction may prohibit a student from completing certain courses or entering a regulated profession the may process data relating to criminal convictions under Article 6.1(b) and/or 6.1.(e) and Article 10 of GDPR (read in conjunction with section 10 Of the Data Protection Act 2018).



For further details contact the Data Protection Officer.

## **Your Personal Data Rights**

Under the GDPR your rights as an individual are:

1. The right to be informed

This will be done by privacy notices available on the University [website](#). A paper copy can be obtained by contacting the Data Protection Officer at the address at the end of this document.

2. The right of access

You have a right to confirm we are processing your personal data and to have access to that data. Details of how to access your data can be found on our [Data Protection pages](#).

3. The right to rectification

RGU strives to ensure that all personal data is current and accurate. If you become aware of any incorrect information held by the University you have the right to request that this is rectified. There are particular areas where the University relies upon you to inform it of any changes to your personal data; for example, contact and next of kin details. Instructions for changing your personal data are available via the student portal once you are enrolled.

4. The right to erasure

If we process your data using your consent and you wish to withdraw that consent, where your right to privacy overrides our legitimate interest or where we have unlawfully processed your personal data you have the right to request we delete your data. For further information on this can be found by contacting [dp@rgu.ac.uk](mailto:dp@rgu.ac.uk)

5. The right to restrict processing

Where we have a legitimate interest to process your data or have processed it for the performance of a public task and you have objected to our processing or if we have unlawfully processed your data but you do not wish us to erase it we are permitted to store the data but not process it further.



6. The right to data portability

You have the right to obtain your personal data in a data portable format. For further information on this contact the Data Protection officer at the address below.

7. The right to object

You can object to us processing your personal data where we rely on our legitimate interest or the performance of a public task as a basis for processing. You may also object where our processing relates to direct marketing or scientific or historical research.

8. Rights in relation to automated decision making and profiling

We do not use automated decision-making processes. Some processes are semi-automated but a human decision maker will always be involved before any decision is reached in relation to you. We may use profiling to assist us in providing the best possible services or products.

For further information please contact the Data Protection Officer as detailed below.

## **How Does RGU Safeguard Your Personal Data?**

### **Transfer of Personal Data outside the European Economic Area (EEA)**

It may occasionally be necessary to transfer personal data outside the EEA to countries which may not have equivalent data protection laws. Examples of circumstances when personal data may be transferred outside the EEA include:

- When managing collaborations with overseas educational institutions including student exchanges and partnership programmes
- Where you have applied to RGU through an overseas recruitment agent
- When information is posted on our website which is accessible outside the EEA

Some of the systems and services the University uses to store data in the Cloud may include storage facilities based outside the EEA.



RGU safeguards the confidentiality of your personal data in this situation by putting in place the technical and organisational measures necessary to ensure the security of your information.

### **Controlling access to your Personal Data**

RGU will manage your information securely and will restrict access to those employees, advisors, agents, contractors and service providers, who require it. They will only process information in accordance with the Act and the University's instructions. The University will put in place technical and organisational measures necessary to ensure the security of your information. Information about special categories of personal information are afforded an extra level of security and confidentiality. This includes information about racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, or data concerning health or data concerning sex life or sexual orientation.

### **Data Retention**

RGU will retain your personal data only as long as necessary for its purposes as described above. Please note, however, that even after termination of your student relationship with the University, RGU may still retain your personal data where this is required for administrative purposes or by law or for archiving purposes which are in the public interest.

### **Data Protection Contact Details and Further Information**

We will publish any changes we make to this Privacy Statement on our [website](#).

If you are dissatisfied with the way in which we are processing of your personal information please contact the University's Data Protection Officer.

You can do this by email: [dp@rgu.ac.uk](mailto:dp@rgu.ac.uk); or post;

Data Protection Officer, Robert Gordon University, Garthdee House Annexe,  
Garthdee Road, Aberdeen AB19 7QB





If you have any issues about this statement or the way the University has handled your personal data please contact the University Data Protection Officer in the first instance. If you are dissatisfied with the response from the University you have the right to lodge a complaint with the Information Commissioner's Office:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

email: [casework@ico.org.uk](mailto:casework@ico.org.uk); telephone: 0303 123 1113