

THE UNIVERSITY OF LEEDS

Data Protection Act 1998

Consent to process

Introduction

In most instances staff - and where appropriate, students - *will not need to obtain consent to process from data subjects who are students or members of staff because such consent is obtained routinely* by the University.

The data for which consent to process may be considered as having been obtained are set out below. Part I sets out the use of student personal data. Part II sets out the use of staff personal data. Staff - or students - who wish to process personal data not included in these extracts should obtain consent from the data subject(s) first; and should also contact one of the data processors to alert them to the need to include such data in the periodic review of data for which the University routinely obtains consent.

In practice, the day-to-day processing of data will continue as before. An exception to this is research data: in most instances, the University cannot obtain widespread consent in advance of processing and researchers will need to consider individually whether or not they need to obtain consent to process from data subjects.

Part I: Use of Student Personal Data

Preamble

The University wishes to make it clear to all students how their personal data (including certain sensitive data) will be processed by the University. Processing of certain data for some activities will continue after students have left the University.

The lists contained below do not preclude the University from processing personal data that is included within its registered use under the Data Protection Act or in any other way allowed under the law.

Specific purposes

All students agree to the University processing their personal data for the following purposes, provided that sensitive personal data may be processed only as set out in clauses 43-49 below:

1. Admission, registration and administration of their studies including the requirements of the Student well-being Survey (UNIQoLL).
2. Academic assessment and progression.
3. Administration of appeals, complaints, grievances, disciplinary matters, and matters relating to health and conduct and to cheating and plagiarism.

4. Pursuit of social and sporting activities e.g. relating to use of the University's sports centre.
5. The provision of University accommodation and other support services such as those of the Library, ISS and the Careers Centre.
6. The granting of awards (including the publication of awards and marks and inclusion in pass lists made available via the University's web site).
7. Processing and recovery of accounts and fees.
8. Research and statistical analysis.
9. Production of statistical returns required by certain third party bodies e.g. the Higher Education Statistics Agency.
10. Creation of e-mail addresses, available to those within and outside of the University. (Please note that it is possible for those accessing such addresses to obtain such information as a student's home department/resource centre and indeed whether an individual is or has been enrolled at the University.)
11. Direct mailing of or about (i) student benefits and opportunities and (ii) University publications regarding third party services and (iii) University activities and events organised for students.
12. Host mailing of services or career opportunities that the University believes may be of interest to students.
13. Administration of employment contracts where the student is employed by the University.
14. Administration of the University's Alumni relations.
15. Consideration and granting of prizes, scholarships and bursaries: of discretionary funding available to students; and of other such awards.
16. Administration of such University codes of practice and policies as apply to students.
17. In relation to the safety of individuals and their property and the protection of University assets, including the use of CCTV.
18. The production of student identification cards; and the inclusion of photographic images on the University's computerised student record system.

All students agree that their personal data may be processed and released to third parties for the following purposes.

19. To the Higher Education Statistics Agency, the Funding Council, government departments, the West Yorkshire Workforce Development Confederation and other authorised users for the analysis of student statistics and/or to enable them to carry out their statutory functions as applicable.¹
20. To the British Council for the administration of pre-arrival events.

¹ In the case of HESA, this may include releasing telephone numbers so that HESA or its agents can make telephone calls in relation to the auditing of First Destination Surveys of graduates.

21. To The Leeds University Students' Union for: direct mailing about Union activities, societies and events, administration of Union membership and membership rights, giving of advice on welfare and other issues.
22. To professional and industrial bodies wishing to communicate with students about career opportunities and membership of their body.
23. To Junior Common Rooms and other student societies for the pursuance of student activities with those bodies.
24. To direct mail agencies who may assist the University in the administration of mailing to students.
25. To the police or other regulatory body where pursuant to the investigation or disclosure of a potential crime.
26. To close family and the emergency services where there is an emergency situation e.g. illness, serious injury or bereavement.
27. To external examiners for the purposes of assessment.
28. To governmental and regulatory bodies for the purpose of gathering census or other information including the assessment of fees, including electoral registration officers.
29. To the Home Office and other international and national governmental and regulatory bodies in connection with the assessment of students status.
30. To third parties accessing information about student awards - ranged by department - which is available in the public domain; and for the verification of awards to employers and other educational institutions.
31. To other educational institutions involved in the delivery of a student's course or programme, e.g. affiliated colleges and exchange institutions, including those outside the EEA; and to other organisations in relation to work placements.
32. To professional bodies where registration with that body is related to or a requirement of the student's studies e.g. the GMC for medical students.
33. To the University's Alumni branch offices/representatives within and outside of the UK for dissemination of information in connection with activities and events for former students.
34. To any third party accessing the University's e-mail directory of student e-mail addresses.
35. To any third party wishing to access a catalogue within the University's library containing reference to student work.
36. To family, sponsors or other third parties to enable the payment of student debts.
37. To external agents of the University in relation to the repayment of student debts.
38. To external agencies - which may be based outside the European Economic Area - in connection with procedures for guarding against plagiarism.

39. To Data Processors who are registered under the Act in order for them to process data on behalf of the University for any of the purposes for which the University is permitted to process the data, including the provision of academic and other services by the University.
40. In relation to the provision of references for students or former students.
41. To sponsors, including the UK research councils, the Student Loan Company and sponsors located overseas.
42. To external bodies and individuals who have funded student prizes and awards.

All students agree to the University processing their sensitive personal data (data about racial or ethnic origin, physical or mental health, commission or alleged commission of criminal offences) for the following purposes and for release to the following third parties:

43. To the Higher Education Statistics Agency, the Funding Council, government departments and other authorised users for the analysis of student statistics and/or to enable them to carry out their statutory functions as applicable.
44. To professional bodies where registration with that body is related to or a requirement of the student's studies e.g. the GMC for medical students.
45. To other bodies involved in the delivery of the course or programme e.g. affiliated colleges, for the purpose of statistical analysis and programme administration.
46. Unless otherwise agreed with the student, within the University only, for the assessment and provision of services to disabled students.
47. For admission to and the administration of student programmes.
48. Where required, to the police or other agencies in connection with particular programmes of study or prior to certain placements.
49. To the University's insurers in respect of accidents occurring within the institution and external auditors.

Provision of Personal Data to a Third Party

Except as otherwise provided for in the 'Use of Student Personal Data' statement and its preamble set out above, or unless written authorisation has been provided by the student concerned, the University does not release information that could constitute personal data to any third party (including parents, relatives and friends).

Part II: Use of Staff Personal Data

Preamble

The University wishes to make it clear to all members of staff and other workers how the University will process their personal data (including certain sensitive² data). In essence, in order to function normally, the University needs to process 'ordinary' and 'sensitive' personal data for employment-related purposes. Processing of certain data will for some activities continue after individuals have left the service of the University.

The list shown below does not preclude the University from processing personal data that is included within its registered use under the Data Protection Act or in any other way allowed under the law.

Specific purposes

All members of staff and other workers agree to the University processing their personal data for the following purposes: -

1. Payment of salary, pension, sickness benefit or other payments due under the contract of employment.
2. Monitoring absence or sickness under an absence control or capability policy.
3. Training and development purposes.
4. Management planning.
5. Providing and obtaining references - and consultation with external agencies including police checks where necessary for the purposes of employment - for job applicants and employees in post; and providing references for former employees.
6. For disclosure to the police or other regulatory body where pursuant to the investigation or disclosure of a particular crime.
7. Promotion and salary progression exercises.
8. Negotiations with trade unions or other staff representatives
9. Curriculum planning and organisation.
10. Time table organisation.
11. Administration of University codes of practice and policies.
12. Compliance with equality legislation, including that relating to disability.
13. Compliance with any statutory or legal requirement to provide information about staff or other workers including, for example, statistical returns to external bodies and staff membership lists to Unions.

² *Sensitive* personal data includes information relating to racial or ethnic origin, political opinions, religious beliefs, trade union membership, health, sex life and criminal convictions.

14. Administration of the University's disciplinary and grievance procedures.
15. Direct mailing for third party services reasonably concerned with employment-related matters or staff benefits.
16. Production of published staff lists including the University Calendar and telephone and e-mail directories for both internal and external use.
17. Production of Staff Identity Cards.
18. Production of photographs of staff for display within the University or on the web (but see also paragraph 32 of the University's code of practice on data protection).
19. Development of staff research profiles, intellectual property and knowledge transfer by associated University companies.
20. Monitoring the use of University resources, including those provided by ISS (but see also paragraphs 33-37 of the University's code of practice on data protection). This may include accessing email accounts and data during unexpected staff absence and post employment (subject to formal authorisation and controls).
21. In relation to the safety of individuals and their property and the protection of University assets, including the use of CCTV.
22. In relation to the provision of academic services and other services (for example, car parking).
23. In relationship to membership of University and staff clubs, societies and similar organisations.
24. For disclosure to close family and emergency services in the event of an emergency, for example, illness, serious injury or bereavement.
25. In relation to exit questionnaires distributed to those leaving the University's employment.
26. In connection with data processed by external contractors or consultants from whom the University may obtain services or seek advice.
27. For disclosure to Data Processors who are registered under the Data Protection Act in order for them to process data on behalf of the University for any of the purposes for which the University is permitted to process the data, including the provision of academic and other services by the University.
28. For disclosure to the University's insurers in respect of accidents occurring within the institution and to the University's external auditors.
29. The dissemination of staff contact details for use in connection with critical incident management plans.
30. The disclosure to trade unions of University staffs' names, category (e.g. academic or academic related) and relevant School/Service, together with such other personal data as the University may think appropriate in serving good industrial relations.