



# Royal College of Art

Postgraduate Art & Design

## Data Protection & Student Data Fair Processing Notice

For the purpose of this law, the College will be the Data Controller and will make decisions about how we use any personal data we collect from you.

As a prospective or enrolled student, the College will collect and use data relating to personal details, family and social circumstances, education and training records, employment information, financial details, and services provided. In addition, we may collect and use special category data about you such as information relating to your ethnicity, religion, disability or medical condition for specific purposes.

The principle purpose for processing your personal data is for us to deliver educational content and to facilitate your education. To do this, you agree to a contract with the College.

Other purposes for which we process your personal data include:

- To meet our statutory or legal obligations
- To provide information or services that may enhance your college
- To offer additional support in your studies
- In the fulfilment of our public tasks
- With your consent; or
- Where such use would meet our legitimate interests

You have rights associated with how your personal data is used and managed. These rights include:

- To be informed what personal data about you the College holds and what it is used for
- To access your personal data
- To update the personal data the College holds about you
- To be informed how the College is complying with its obligations under the Act
- To complain to the Data Protection Officer or Information Commissioner ([ico.org.uk](http://ico.org.uk))
- To have personal data erased where there is no compelling reason for us to keep the data.

The Data Protection Act 2018 (The Act), regulates the processing of personal data of Data Subjects ('you') in any format by the Royal College of Art (RCA) including digital and hard copy personal data. Personal data is any information relating to a living individual, and processing is any activity carried out involving personal data, including collecting, holding, viewing and storing it.

This Fair Processing Notice is designed to give you information about what personal data we collect, what we do with your data, why we do it, and your rights in relation to its use.

The Data Protection Officer works independently with the College to ensure that we protect your personal data. They can be contacted on mailto: [dpo@rca.ac.uk](mailto:dpo@rca.ac.uk)

During the course of our activities, RCA will collect, store and process personal information about our prospective, current and former students.

While most of this data is collected from you directly, we could also collect your personal data:

- By observation e.g. through your use of our IT equipment, technology, or connected devices
- By deriving your personal data from combining other data sets or

For the purposes of this Fair Processing Notice, 'students' refers to your interactions with us at the application stage, at enrolment, at graduation and throughout the period of study.

We treat all student personal data in line with the data protection principles. No personal data held by us will be processed unless the requirements for fair and lawful processing are met.

### **Types of Personal Data Processed**

In order to carry out our activities and obligations as a College we process data in relation to:

- Your contact details and other information submitted during the application and enrolment processes
- Details of courses, modules, timetables and room bookings, assessment marks and examinations related to your study
- Financial and personal data collected for the purposes of administering fees and charges, loans, grants, scholarships and hardship funds
- Photographs, and video recordings for the purpose of capturing lectures, student assessment and examinations and for the purposes of College promotion that is in our legitimate interest but still fair to you
- Contact details for next of kin to be used in an emergency
- Details of those with looked after status or those who have left the care system for the provision of support

- Information related to the prevention and detection of crime and the safety and security of staff and students, including, but not limited to, CCTV recording and data relating to breaches of College regulations
- Information gathered for the purposes of equal opportunities monitoring
- Information relating to the provision of advice, support and welfare, such as data relating to the use of the services offered by the Student Support
- For international students, Copies of passports, visas and any other documents required to ensure compliance with Home Office requirements as well as information collected in relation to attendance.

We also obtain, hold and process, special category personal data (the term used by the GDPR) or other sensitive data of students. Special category data includes information about someone's:

- Race
- Ethnic origin
- Politics
- Religion
- Trade union membership
- Genetics
- Biometrics (where used for ID purposes)
- Health
- Sex life
- Sexual orientation.

Emergency contact details provided by you will be used to protect your vital interests and wellbeing and will only be used for this purpose. You should notify the relevant person that you are providing their contact details to the College as their listed emergency contact.

### **Primary Purposes for Processing**

Your personal data is used for the following purposes:

- The delivery of lectures, assessments and material relevant to your course of study
- The administration of your student record; The administration and provision of student support
- Financial administration including the payment of tuition fees, provision of loans and bursaries
- Security and crime prevention including the use of regulated CCTV
- Library services including the administration of membership, cards, loans and fines
- Provision of your student ID card and its use in facilitating access and attendance registration
- Provision and maintenance of computing facilities including email accounts and internet access

- Educational administration including course and module registration, progress monitoring, timetabling, calculation and the publication of assessments
- Administration of applications
- To produce statistics and management information to enable the College to understand its business and for strategic and management decision making.

For electoral roll purposes, where students have agreed for their data to be shared with Local Authorities for automatic inclusion on the electoral register.

This is not an exhaustive list, but is intended to communicate an overview of our purposes.

### **Lawful Basis**

All processing of personal or special category data requires us to have a lawful basis for doing so. As a student, our principal lawful basis for processing your personal data in relation to delivering your education is that the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in RCA the data controller. For some elements of processing, including for administration of fees or your acceptance of our terms of admittance, we process your personal data for the fulfilment of a contract between RCA and you. However, in some cases, we will rely on processing using another lawful basis such as:

- Under a legal obligation for example, disclosing personal data to external parties under statutory powers
- Where it is necessary to protect your vital interests such as providing emergency medical care
- Where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority (for example, awarding qualifications, or for a HESA submission)
- Where it is necessary for legitimate interests pursued by the College or a third party (the legitimate interests will relate to the efficient, lawful and proportionate delivery of services and will not be to the detriment of your rights and freedoms)
- Where any of these lawful bases do not apply, we will seek your consent or explicit consent to process your personal data. In this case, you have the right to withdraw consent at any time with no detriment to you.

Where we process special category data, we are required to rely on a separate lawful basis specifically for that personal data. The lawful basis we choose will be dependent on the circumstances associated with that processing but in many cases the processing will take place on one of more of these bases:

- With your explicit consent
- As part of our legal obligations under employment, social protection or social security law
- Reasons of substantial public interest

- In the establishment, exercise or defence of legal claims
- In the interests of public or occupational health
- For scientific, historical research or archiving purposes

### **RCA Students' Union**

The College shares some personal data with the Students' Union in order to allow students to participate in the election of its officers and to become a member of the Students' Union. Having contemplated the work of the Students' Union, it is considered that this processing is necessary for the purposes of the legitimate interests pursued by the Students' Union in collaboration with RCA.

### **RCA Alumni Network**

Following graduation, personal data is processed by the RCA Alumni Network within the College as all individuals graduating automatically become members of the College's Alumni Community. For alumni at the RCA, there are a number of benefits including access to - publications, careers advice, details of further education opportunities, organised reunions, networking events and opportunities to support the College.

Additionally, the Development and Alumni Relations Office hold the most up to date information on former students including details of communication preferences. At graduation and periodically in the future individuals will be asked by alumni to state their communication preferences. Having contemplated these factors, it is considered that this processing is necessary for the purposes of the legitimate interests pursued by the College. For more details on the use of your personal data for the purposes of alumni administration, please see the RCA alumni pages.

### **CCTV**

The College operates a CCTV system around its sites, the purpose of which is to create a safer environment for students, staff and visitors to the College. Due to the nature of such a system, it is likely to capture your personal data.

CCTV is limited to public areas, e.g. reception areas, stairwells, lifts, outside areas as well as in lecture theatres, PC labs and student common rooms. CCTV is not used for the routine monitoring of students and images are only used in circumstances that the College could not ignore, where there is a risk of or actual criminal activity taking place, where there is gross misconduct alleged or undertaken or where behaviours of students may put others at risk.

Where images are used in any disciplinary procedures, you will have access to the CCTV footage which they will be able to view. On occasion, it may become necessary to install

cameras for the specific purpose of monitoring activity in a particular area. This will be used only in exceptional circumstances where there is a reason to suspect criminal activity or equivalent malpractice. Any decision to monitor activity in this manner must be authorised by the College's Senior Management and will only be used as a proportionate response to the problem.

## **Monitoring**

In certain circumstances, particularly those that involve the prevention or detection of crime, fraud or misuse, the College will monitor usage of its IT systems technology or spaces. We reserve the right to access user information on our systems, networks and CCTV. Any institutional monitoring or access will comply with UK legislation including the Regulation of Investigatory Powers Act 2000, Human Rights Act 1998, and the Data Protection Act 2018. Where necessary, any access or monitoring will be justifiable, fair and proportionate, and will be in line with our institutional policies

## **Sharing your Information**

We need to share your data with third parties outside of the College who are contracted to work on our behalf, for example to pension providers, insurers or legal consultants. We also disclose data to auditors undertaking investigations or to selected individuals acting on behalf of RCA such as organisations undertaking market research or academic researchers provided no personal data is published. Wherever possible sharing of your data will take place within the European Union, however where this is not possible, we may share your data outside the European Union (a third country) but this sharing will be proportionate, have a lawful basis and be subject to appropriate safeguards including contractual agreements and technical measures.

## **Third Parties**

We make some statutory and routine disclosures of personal data to third parties where appropriate. These third parties include:

- Higher Education Statistics Agency (HESA)
- The Office for Students
- The Student Loans Company
- Student Finance England
- RCA Student's Union
- Department for Work and Pensions
- UK Visas and Immigration
- HM Revenue and Customs (HMRC)
- Research sponsors/funders

- Trade unions
- Potential employers (where a reference is requested)

Personal data may also be disclosed where there is a legitimate interest, either for the College or others, taking into account any prejudice or harm that may be caused to you.

The College also use third party companies as data processors to carry out certain administrative functions on our behalf. In such cases, a written contract is in place to ensure that any personal data disclosed will be held in accordance with the Act.

When requested, we will confirm the dates, nature and results of your study with RCA to a prospective organisation in a reference.

### **Submission of your Information to HESA**

It is a statutory requirement for us to send some of the information we hold about you to HESA every year ("Your HESA Information"). HESA is the official source of data about UK universities and higher education colleges.

HESA collects, and is responsible for the database in which Your HESA Information is stored. They use this information for its own purposes and shares Your HESA Information with third parties for specified and lawful purposes.

If you choose to provide information about your disability status, ethnicity, sexual orientation, gender reassignment or religion these may at our discretion be included in your HESA information and used to assist with monitoring equality of opportunity and eliminating unlawful discrimination in accordance with the Equality Act 2010.

To read the full HESA Fair Processing Notice, please visit:  
[www.hesa.ac.uk/about/regulation/data-protection/notices](http://www.hesa.ac.uk/about/regulation/data-protection/notices)

### **Individual Rights**

You have rights associated with how we, or any organisation, use your personal data. These rights are:

- The right to request access to your personal data;
- 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 RCA to continue to process the personal data;
- The right to restrict the processing of personal data – you have the right to block the processing of your personal data by us in some cases;
- The right to data portability - you have the right to have the personal data you have provided to us transferred to another organisation;

- The right to object – you can object to the processing of your personal data by the College in certain circumstances, including the sending and receipt of direct marketing material and;
- The right to object to automated decision making and profiling – you have the right to object to decisions taken by automatic means without human intervention in some circumstances.

These rights are not absolute in every circumstance and a number of factors such as exemptions in law apply.

If you are unhappy with our handling of your personal data, or believe that the requirements of the Act (or any legislation arising directly from it) may not be fully complied with, please contact;

**The Data Protection Officer**

Royal College of Art  
Kensington Gore  
London SW7 2EU

The Data Protection Officer works independently with RCA to ensure that we protect your personal data. They can be contacted on [dpo@rca.ac.uk](mailto:dpo@rca.ac.uk) in the first instance. The formal complaint procedure will be used if appropriate, and you have the right to submit a complaint to the Information Commissioner's Office. Further details can be found at [ico.org.uk](http://ico.org.uk)