

## Student Data – Privacy Notice 2020/2021

### Background

This privacy notice explains how the Institute collects, uses and shares your personal data and details your rights in relation to the personal data we hold. This notice concerns our processing of personal data of past, present and prospective students of the Institute.

Dun Laoghaire Institute of Art, Design & Technology (IADT) is a Data Controller. All personal data that it holds and processes is subject to the Data Protection Act 2018 which incorporates the EU wide General Data Protection Regulation (GDPR) into Irish law.

### How we collect information

Personal data and special category personal data held by the Institute relating to students is obtained directly from the student or applicant or, in some cases, from a third party organisation that has obtained the information in the first instance (for example, the Central Applications Office (CAO) and Student Universal Support (SUSI)).

Personal data may be collected in a number of ways as follows;

Directly from information you provide to us expressing an interest in becoming a student, and/or through the application or registration processes.

Directly from the Central Applications Office (CAO) which processes applications for undergraduate courses in Irish Higher Education Institutions.

Directly from Student Universal Support in Ireland (SUSI) in relation to grant awards.

### Legal definitions under the GDPR

**It is important to note that IADT will not be requesting you to give us all the information listed under Personal data and Special category personal data below.** We will only ask for the personal data that is required for us to function and fulfil our contractual and legal obligations to you.

The following are the definitions of these terms under the GDPR.

#### Personal Data

*"means any information relating to an identified or identifiable natural person" (living data subject); "an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person."*

Under the General Data Protection Regulation (GDPR) some data which we collect and hold about you, is classified as special category personal data.

### **Special Category Personal data**

*"means data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's" (living data subject) "sex life or sexual orientation."*

The information, which we collect and hold under this category, is collected to meet Government requirements, to monitor whether our equal opportunities policies are working and to ensure that disabled students and other under-represented groups receive appropriate support. In addition to the normal standards of confidentiality, we also carefully control access to special category personal data within the Institute so that it is only available to people who 'need to know'.

### **Types of information collected**

IADT may obtain, hold and process the personal data of students across a wide range of information as per the list below. It may obtain, hold and process special category personal data of students including details regarding racial or ethnic origin, and physical or mental health.

The following types of personal data **are** collected;

- Name, contact information, addresses (both home and term if applicable), email address, telephone numbers (both mobile and landline), next of kin/emergency contact details
- Date of birth, Country of birth, Nationality
- In some cases, we may collect Passport number, Visa details and country of domicile. In addition, (to verify eligibility of EU fees) we may require GNIB (Garda National Immigration Bureau) card information and documentation to confirm EU/EEA/Swiss residency (such as P21 statements / social welfare statements or EU equivalent).
- PPS number, CAO number, student ID number, student image in jpg format (for several uses including student ID card, examination entry, and class lists).
- CV submitted in support of any application
- Information relating to education and training records such as details of previous examination results, schools/colleges attended, academic history, academic marks, attendance records, qualifications awarded,
- Information relating to family and social circumstances such as parents socio economic grouping, parents occupation, parents employment status
- Gender
- Disciplinary information
- Some programmes at IADT offer students the opportunity to undertake placements with external agencies, which will bring them into contact with children and/or vulnerable adults and in which they will assume positions of public trust. The Institute is committed to ensuring that only suitable candidates are allowed to undertake these programmes. For these students we will also collect details of criminal history/convictions as provided through The National Vetting Bureau. The Children and Vulnerable Persons Acts 2012 to 2016 provides a statutory basis for mandatory vetting of persons who wish to undertake a work placement and/or activities that bring them into contact with children and/or vulnerable adults.
- Images are collected in CCTV footage/photography/filming.

## **Purpose of collecting information**

The Institute holds the personal data and special category personal data of its students in order to implement and manage all services and processes relating to students. Only information required for these purposes is obtained and processed, and without it, the Institute may not be able to provide its services. Information is shared between various sections of the Institute for operational reasons as is necessary and proportionate for intended purposes.

We may use information collected for the following purposes;

- Student recruitment
- Admission and Registration
- To administer your studies, record academic achievements and determine/record your overall award outcome
- Academic Affairs – teaching and learning, assessment, examination, graduation, and attendance
- Provision of card services – the IADT student ID card which contains a photographic image is used for identification purposes, examination room entry, library services, specific room access, photocopying and printing services.
- To support you in your studies i.e. we may use information you have given us (e.g. disability) and information we collect about your engagement with services (e.g. Blackboard) to identify students who require additional support or specific services and enable analytics for reporting purposes (such as student progress and academic performance)
- To monitor and evaluate the student experience
- Course based publicity – i.e. images of students with their studio or course work/project.
- Provision of student support services (Student Experience, Access, Disability Support, Learning Support, Careers, Counselling, Health Centre and Library). See note under Data Retention towards the end of this privacy notice.
- To process and administer financial matters (payment of fees, to verify eligibility for EU fees, debt collection, financial supports, scholarships, prizes and bursaries)
- Research and Statistical Analysis
- To enable effective communication with you
- To manage Institute facilities and services including IT services, library, campus car parks
- To administer appeals, complaints, grievances, disciplinary matters, and matters relating to conduct and cheating / plagiarism
- To respond to requests for academic Transcripts/Parchments/proof of attendance/records of achievements etc. In this regard, a core record of your studies is retained indefinitely.
- In the interests of transparency, please note that we intend to delete all non-essential personal information (such as term addresses and photographic images) from the records held on graduates/previous students after a specific time period. At the moment, we do not have the capacity to do this automatically. It is intended that this function will form part of the requirements in the next upgrade of the student database system.
- To ensure your health, safety and well-being
- To provide information to organisations such as the HEA or the Department of Employment Affairs and Social Protection, in line with legal and government requirements
- To comply with statutory reporting requirements
- To produce reports and aggregated statistics for management and research purposes in order to plan and improve services
- To administer voluntary surveys of student opinion about your experience and the performance of the Institute
- To create and publish print & electronic material (e.g. prospectus, brochures, website, etc.) for promotional and archival purposes

- To maintain a proportionate CCTV system for the specific purposes outlined in the CCTV Policy
- To assist with law enforcement or where required or authorised by law
- To enable our continued contact with you after you complete your studies (e.g. survey of graduate work destinations, alumni networks, marketing, etc.)
- To respond to requests for information made under Data Protection and Freedom of Information legislation.
- Additional processing may be required for students registered on specific programmes or with certain funding requirements or for students who choose to pursue studies abroad.
- Sporting and Society Organisations who may require student data (e.g. Date of birth, confirmation they are in full-time education) prior to the student representing the Institute in formal events/competitions.

### **Does IADT share your data with any third parties?**

The processing of personal data is necessary for the performance of the contract under which we provide services to you or to progress expressions of interest and enquiries. The Institute undertakes to maintain your information securely and restricts access to employees, professional advisers and data processors on a strictly need to know basis.

The Institute may disclose students' personal data and special category personal data to external agencies to which it has obligations or where it has a lawful basis to disclose including the following;

- Higher Education Authority (HEA) – link here: <https://iadt.ie/wp-content/uploads/2020/06/2020-2021-HEA-Data-Collection-Notice-FINAL-June-2020.pdf>
- Graduate Outcomes Survey – this survey is not compulsory
- Equal Access Survey – this survey is not compulsory
- Department of Employment Affairs and Social Protection (DEASP)
- Technological Higher Education Association (THEA)
- Irish Survey of Student Engagement (ISSE) - (During your studies, you will be invited to participate in StudentSurvey.ie (Irish Survey of Student Engagement). Some of your information will be sent to the survey company to ensure that the survey is offered only to relevant target groups. Your information will be matched to your survey responses in order to allow for anonymous analysis of results, for example, by gender or full-time/part-time. Your responses will be treated confidentially and no individual student will be identifiable in any reports or results generated as a result of this survey).
- Quality and Qualifications Ireland (QQI)
- Student Universal Support Ireland (SUSI)
- Revenue Commissioners if applicable
- Professional and regulatory bodies where programmes are accredited by such bodies
- TUSLA – Child and Family Agency
- Work placement providers
- Other higher education institutions, partners or research organisations to which a student transfers or pursues an exchange programme or where a student's programme is being run collaboratively
- Software providers or service providers performing administrative functions on behalf of IADT (e.g. IT services, carpark management, etc.)
- IADT Students' Union to facilitate student elections
- External examiners
- Direct mail agencies/printing companies to facilitate the delivery of mailshots (with consent).
- Sponsors funding student prizes and awards
- Plagiarism detection service providers (e.g. Turnitin) to ensure academic standards

- Potential employers/recruitment companies for verification of qualifications
- Insurance companies in respect of accidents occurring within the Institute
- Institute legal advisors
- Án Garda Síochána to assist in the prevention or detection of crime
- Auditors
- As part of the application process for Athena Swan accreditation and awards, we transfer personal data in an aggregated, anonymised and statistical form to Advance HE under the terms of a Data Sharing Agreement. Under this agreement, Advance HE will share this data with appointed evaluators in their process. Any further sharing of the data by Advance HE will only be permitted by agreement with IADT.

This is not an exhaustive list and any other disclosures to third parties not listed here are made only where there is an obligation or lawful basis to do so and in accordance with the law.

## **INDIVIDUAL RIGHTS**

Individuals whose personal data and special category personal data is held by the Institute have the following rights regarding their data:

- The right to be informed
- The right to request access to their personal data held by the Institute.
- The right to rectification – 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 the Institute to continue to process the personal data. If you exercise your right to erasure, we will retain a core set of personal data, see the Data Retention heading towards the end of this privacy notice.
- The right to restrict the processing of personal data – individuals have the right to block the processing of their personal data by the Institute in specific situations.
- The right to data portability – students have the right to request provision of some elements of their information (for example academic progress details) in digital form in order to provide it to other organisations.
- The right to object – students can object to the processing of their personal data by the Institute in certain circumstances, including the sending and receipt of direct marketing material.
- The right to object to automated decision making and profiling – individuals have the right to object to decisions taken by automatic means without human intervention in some circumstances.
- Where the processing of personal data or special category personal data is based on the consent of the student, they have the right to withdraw their consent at any time by contacting the department or service who obtained that consent or the Institute's Data Protection Officer (c/o 01 239 4947 or by email to: [dp@iadt.ie](mailto:dp@iadt.ie)). Withdrawal of consent for processing means that the service is no longer available to that student as we cannot process information without a valid reason to do so.
- If a student is unhappy with the Institute's handling of their personal data, or believes that the requirements of the Data Protection Acts or GDPR may not be fully complied with, they should contact the Institute's Data Protection Officer (details above) in the first instance. The Institute's formal complaint procedure can be invoked if appropriate.
- Students also have the right to submit a complaint to the Data Protection Commission, Canal House, Station Road, Portarlinton, Co. Laois, R32 AP23. Phone +353 (0761) 104 800, LoCall 1890 25 22 31, Fax +353 57 868 4757. Email: [info@dataprotection.ie](mailto:info@dataprotection.ie). Website: [www.dataprotection.ie](http://www.dataprotection.ie)

## **Title to, and Retention of, Student work**

It is important that you understand the relationship between you, your work and IADT's intellectual property rights. As a student of IADT, you assign to IADT all of the intellectual property rights in work you have produced for the purposes of assessment. You must also undertake to execute such documentation as we may from time to time require in order to perfect the right to title of IADT to all work you have produced for the purposes of assessment.

IADT may therefore retain pieces of work if it considers this to be appropriate and particularly if it is thought that such work will enhance and promote IADT's reputation. It is consequently a policy to retain pieces of work from all graduating students as appropriate, this is done in consultation with the students concerned.

IADT reserves the right to display, exhibit, publish or otherwise use such student work. IADT will therefore be crediting or attributing the creation or co-creation of this work to the student by name.

## **Parents, guardians and other relatives**

It is your responsibility as a student to communicate and engage with the Institute. If you are 18 years of age or older IADT will not normally disclose your data to parents or relatives without your consent, other than in exceptional circumstances i.e. where there is potential danger to the health or well-being of a student. We may agree to discuss matters relating to you with a parent/relative, but only if you consent to this. Exceptionally, where urgent communication with a student through direct contact details is not possible or has, following repeated attempts, been unsuccessful, contact may be via a student's parents and/or next of kin using contact details provided by the student.

## **Students who are under 18 years old**

Whilst IADT owes a duty of care to all of its students, it has a particular responsibility to safeguard 'the welfare of any individual under the age of 18 who, under Irish law is determined as being a child'.

The Registrar will write directly to the parents/guardians of any students who are under 18 years old when they enter IADT and will explain the policies and procedures which are in place here. Generally, IADT intends to treat under 18 year old students the same as the remainder of the student population.

It is your responsibility as a student to communicate and engage with the Institute. IADT will not normally disclose your data to parents or relatives without your consent, other than in exceptional circumstances i.e. where there is potential danger to the health or well-being of a student. We may agree to discuss matters relating to you with a parent/relative, but only if you consent to this. Exceptionally, where urgent communication with a student through direct contact details is not possible or has, following repeated attempts, been unsuccessful, contact may be via a student's parents and/or next of kin using contact details provided by the student.

## **Publications**

All graduating students, including those graduating in absentia, will have their name and award title (i.e. BA Hons.) listed in the graduation booklet.

## **Photographing and filming on campus/at IADT events.**

Many IADT events are photographed or recorded and images are sometimes published on the IADT website and/or promotional documentation. IADT undertakes to make it clear when photographs/recordings are being taken at such events (i.e. location warning notices) and students will have the opportunity to remove themselves from the area if they wish so as not to have their image captured or used for this purpose.

## **Images captured and processed on the basis of Consent**

An individual captured in an image can withdraw their consent even after having signed the consent form. Any such withdrawal should be in writing. Once consent is withdrawn, IADT cannot use the relevant image(s) again from that date, but it will not be possible to recall documents in which their image has already appeared.

## **Website Privacy and Cookie Policy**

IADT's website privacy and cookies policy explains how data may be gathered about users of the Institute's website. Link here: <http://www.iadt.ie/privacy>

## **How IADT will contact you**

We may contact you by telephone, email or post. In addition, if you have provided us with your mobile number, we may text you with Institute-related information e.g. re-scheduling of lectures, exam information, grant information, appointment reminders, Institute closures, etc.

## **Data Protection Commission**

If you believe your right to privacy or the protection of your personal data has been infringed, you have the right to bring a complaint to the Data Protection Commission at [info@dataprotection.ie](mailto:info@dataprotection.ie). You can find more information about your rights at <https://www.dataprotection.ie>

## **Data retention**

We will hold some of your data indefinitely in support of your lifelong relationship with the Institute, or until you ask us to do otherwise. If you exercise your right to erasure, we will retain a core set of personal data which will include name, subject(s) studied, Award and GPA achieved, graduation details, date of birth and unique identification number for verification, transcript and archive purposes. Some of our student support services such as Disability, Access, Health Centre, Counselling and Learning Support will retain records for a period of 7 years after last contact in line with professional codes of practice and guidance. We also need to retain some financial records such as fees paid and grants or scholarships awarded for auditing and statutory purposes.

## **The Athena Swan Charter**

The Athena Swan Charter recognises and celebrates good practice in recruiting, retaining and promoting women in science, technology, engineering, maths and medicine (STEMM) in higher education. The Charter aims to address gender imbalances in STEMM disciplines, based on the belief that endeavours in these fields will be enriched when they can benefit from the talent of the whole population, and when barriers to progress in academic careers are removed.

In accordance with the provisions of the HEA requirement for Higher Education Institutions to engage with the Athena Swan process, we collect and utilise personal data in an aggregated, anonymised and statistical form for inclusion in our applications. The legal basis for the collection

and processing of this data is for the legitimate interests of IADT.

Under the terms of the Data Sharing Agreement with Advance HE, they will keep a record of the data for up to 8 years, after which period the personal data may be further anonymized and aggregated to enable Advance HE to use the IADT data as part of ongoing impact evaluation and sector research.

### **Data Subjects relevant to Athena Swan**

#### *Student Related*

- Applicants to study (All entry routes)
- Students (including visiting (Erasmus and all other International) and dormant)
- Graduates and Former Students (Withdrawals, Deferrals, Excludes etc)

#### *Staff Related*

- Applicants to work
- Staff (including associate and honorary)
- Former staff (Retirees, Resignees etc)

#### *General*

- Visitors where we collect personal data (including conference and event speakers and attendees),

### **Categories of Personal Data:**

- Personal details: name, job title, employer;
- Photographs;
- Education and training records;
- Employment and progression details;
- Information pertaining to family and private lives;
- Application outcomes;
- Enrolment;
- Awards and honoraria (nominations and receipt);
- Contract type and mode;
- Leave;
- Information pertaining to experiences and perceptions; and
- Disciplinary and grievance procedures.

The following types of Special Categories of Personal Data may have been included:

- Racial or ethnic origin;
- Data concerning a natural person's sexual orientation;
- Religious/philosophical beliefs;
- Trade Union membership;
- Health.

## **How to contact us at IADT**

IADT is a data controller in respect of student personal and special category personal data. Please contact us if you have any questions about the information we hold about you or to request a copy of that information. This is called a data subject access request.

Our Data Protection Officer is Mr Bernard Mullarkey, Secretary/Financial Controller. His contact information is here:

- By email: [dp@iadt.ie](mailto:dp@iadt.ie)
- In writing: c/o Information Officer, IADT, Kill Avenue, Dun Laoghaire, Co Dublin.
- By telephone: c/o 01 239 4947 or c/o 01 239 4619