

## THE PEARS CUMBRIA SCHOOL OF MEDICINE PRIVACY NOTICE

What is the purpose of this document?

Imperial College of Science, Technology and Medicine (the “College” or “Imperial”) and the University of Cumbria (“Cumbria”) are committed to protecting the privacy and security of your personal information.

In this notice the College and Cumbria will be referred to as “we”, “us” or “our” as applicable.

The College and Cumbria are “data controllers” for the data provided. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice. This notice applies to applicants and students of The Pears Cumbria School of Medicine and will describe where we are acting either as joint controllers and where acting independently. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

### How your personal data is collected

We collect your personal data from the following sources:

- from you, typically when you:
  - interact with us before joining as a student, for example when you provide your contact details for open day events or when you apply to study;
  - enrol as a student with us, as part of the student registration process;
  - complete our surveys and feedback forms;
  - interact with us during your time as a student, including in communications you have with; or
  - visit the College's or Cumbria's website, including when you register or use our online payment portals or store;
  - when you request information / assistance via an online form.
- from third parties such as:
  - institutions such as your school or employer when they provide a reference for you;
  - the Universities and College Admissions Service (UCAS), from whom we may receive your application where you are applying to study (UCAS's privacy policy can be accessed via its website [here](#));
  - other institutions involved in joint and exchange programmes you are undertaking or applying to undertake (including institutions providing clinical training components in medical education);
  - our contractors and service providers who perform services on our behalf, many of which are outlined in this Notice;

- other relevant third parties such as the Student Loans Company.
- Affiliate partners that you have consented / requested to provide us with your data. This could include recruitment fair providers, partnership websites and student mailing lists.

### **What categories of personal data are collected?**

We collect the following categories of personal data:

#### Identification and contact details

- biographical information such as your name, salutation, title, date of birth, age and gender;
- your image and likeness (as captured in a photograph or on CCTV);
- your contact details including address, email address and phone number;
- information that evidences periods of residency (such as utility bills, proof of mortgage and travel) or financial circumstances (such as bank statements and proof of income);
- information that evidences your family relationships (such as a birth, adoption, marriage or civil partnership certificate);
- national insurance number (or other tax identification number) and your passport number or national identity card details, country of domicile and your nationality. We will also allocate you a unique student number and username;
- where appropriate, diversity and background information that you provide to us.

#### Student life and academic

- the courses you have completed, dates of study, examination results and attendance record. We will also keep records relating to assessments of your work, details of examinations taken, your predicted and actual examination grades, disciplinary and other information in your student record;
- information relating to your education and employment history, the school(s), colleges or universities you have attended and places where you have worked;
- information about your family or personal circumstances (including welfare information), and both academic and extracurricular interests, for example where this is relevant to the assessment of your suitability to receive a place on a course, a bursary or scholarship, or in order to provide you with appropriate pastoral care and welfare support;
- records of communications sent to you or received from you;
- records of your attendance at our events (including participation in online events), for example open days or student events and lectures.

### Online and transactional

- details of your IP address, browser type and operating system when you visit our website. See the College [Use of cookies notice](#) or Cumbria [Use of cookies notice](#) for more information.;
- Details of your interactions with digital advertising.
- details of financial transactions e.g. for courses, products and services we have provided.

We may also collect the following special categories of personal data where it is necessary for the purposes set out in this Notice (please also see the section on Special categories of personal data for details about how we process this data):

- information concerning your health and medical conditions (e.g. disability and dietary needs);
- certain criminal convictions (please see the section on Criminal Convictions under the Special categories of personal data) or criminal acts caught on our CCTV cameras; and
- information about your racial or ethnic origin; religion or similar beliefs; and sexual orientation.

### **The basis for processing your data, how we use that data and with whom we share it**

We will process your personal data either in ways you have consented to, or because it is otherwise necessary for a lawful purpose. We set these out as follows:

#### As part of the contractual relationship

In this respect we use your personal data for the following purposes:

- administration of your application including to evaluate your suitability for admission and to determine any support requirements/arrangements to enable you to study (please also see the section on processing Special categories of data);
- The recording of interview videos, if undertaken, during the recruitment/application process;
- admission, registration and administration of your studies including the requirements of the Student Online Evaluation Survey (SOLE);
- production of student photo ID cards and administration of College and Cumbria security practices;
- undertaking academic assessments;
- administration of complaints and appeals, disciplinary hearings, and fitness to practice hearings;
- provision of accommodation (including catering services) and other support services;
- consideration and granting of awards, scholarships, prizes and bursaries (including the publication of awards and marks and inclusion in pass lists made available online);
- processing and recovery of accounts and fees, including your tuition fee liability;
- administration of placements with partner institutions or organisations;

- administration of the College and Cumbria regulations, codes of practice and policies;
- organisation of events and services (including where applicable after you leave), and the provision of products that you have requested or ordered from us.

### Other legitimate interests

Your personal data will also be processed because it is necessary for our legitimate interests or the legitimate interests of a third party. This will always be weighed against your rights, interests and expectations.

Examples of where we process data for purposes that fall under legitimate interests include:

- administration of the ongoing relationship with you in ways which are necessary to provide your chosen course and welfare;
- publishing your name in the graduation programme and on graduation merchandise
- sharing your information with:
  - the Imperial College Students' Union and University of Cumbria College Students' Union for the administration of either Union membership and membership rights;
  - Higher Education Degree Datacheck (HEDD), a shared service which allows employers or statutory bodies and their agents to verify basic degree and enrolment information about you. Information about the use of HEDD can be found via its website. An employer or agent who makes an enquiry about you is required to gain your consent before using HEDD to check your details. You are able to exclude your information from HEDD by emailing [student.records@imperial.ac.uk](mailto:student.records@imperial.ac.uk);
  - Undertaking and administering internal surveys;
  - organisations who conduct independent surveys in relation to our courses for their rankings or guides (e.g. the Financial Times (FT) Masters in Finance Ranking). We will share your name, email address and course details so that the organisation can send you the survey to complete.
  - professional and industrial bodies wishing to communicate with students about career opportunities and membership of their body. Normally we will forward you information on behalf of the relevant organisation;
  - prospective employers or other organisations who request a reference for you;
  - research partners, where appropriate / necessary; and
- archiving and statistical analysis or research, which may include understanding more about our communities to improve engagement, access and diversity (but we will not use your name except to the extent relevant and necessary for the purpose);
- the recording of audio/images during lectures as part of the our teaching provisions and for subsequent use in teaching materials (for more details about how this personal data may be used, see [here](#));
- the recording of audio/images on our grounds for use in our official materials to promote the our work and The Pears Cumbria School of Medicine, thereby furthering its mission and strategic goals. These materials may include the website, social media channels, press releases and mailings, on event posters, on TV screens on campus or in magazines or prospectuses. We rely on our legitimate interests to do this where it would not be

necessary, appropriate or practicable to obtain your specific consent. We will seek specific consent for prominent or impactful uses however;

- analysing our recruitment and marketing activities in order to determine their effectiveness and our future strategies;
- for targeted marketing / advertising of our and its goods, services, events and resources by post, telephone and electronic means (but without prejudice to your rights under the legislation that regulates the sending of marketing communications by electronic means); and
- for the purposes of learning analytics we will analyse student personal data in order to improve the student experience for current and future cohorts, enhance the effectiveness of our learning, teaching and assessment activities, support the design and delivery of programmes and modules, and to further understand our community in order to improve engagement, access, and diversity and support students better. Where we use personal data for these purposes, we will ensure that any published information is anonymised. Results will be presented as aggregate data, even if the underlying calculations depend upon matching data at individual level.

It may be the case that some of the uses listed above as falling under a legitimate interest will in fact be necessary for the performance of a public interest task required of us, although these are more fully covered in the next section.

#### Legal obligations and Public task

As a provider of higher education, Imperial College London and the University of Cumbria act as a public authorities for the purposes of undertaking research and providing training. Your personal data will therefore be processed by the for compliance with any legal obligations or as part of a public task. For example:

- subject to legal and ethical safeguards, for public interest archiving, scientific and historical research or statistical analysis (but we will not use your name or other identifying details except to the extent relevant and necessary);
- when we need to share information with the Higher Education Statistics Agency (HESA) and the Office for Students (OfS). We will also pass on your information to Ipsos Mori who undertake the National Student Survey (NSS) on behalf of the OfS. The NSS is aimed at students in their final year of study and participation is voluntary; it is possible to opt out as per the details below.
  - For more information on the NSS, including details of how you can opt out, please see <http://www.thestudentsurvey.com/students.php> and <http://www.thestudentsurvey.com/privacy-statement.php>
  - For more information about HESA please see: <http://www.imperial.ac.uk/adminservices/legal-services-office/data-protection/hesa/> and <https://www.hesa.ac.uk/about/regulation/data-protection/notices>.
- for the detection and prevention of crime and in order to assist the police and other competent authorities with investigations;

- to comply with tax legislation, immigration and visa requirements, safeguarding duties and subject access requests of others;
- for purposes connected to local authority matters such as electoral registration, council tax or the investigation of benefit fraud; and
- for the purpose of providing census or other information including the assessment of fees to governmental and regulatory authorities.

In this respect, as well as the organisations mentioned above, we may in specific circumstances need to share your personal data with third parties who have made legitimate requests under data protection or freedom of information law or where required as part of a legislative response. These would include;

- the police and other law enforcement agencies;
- local authorities;
- the Home Office,
- British overseas consulates;
- other international or national governmental and regulatory bodies;
- HMRC;
- the Office for Students and;
- the Office of the Independent Adjudicator.

#### Where you have consented

Your personal data will also be processed where we have your consent.

Examples where consent would be sought or given may include where specific services have been requested or applied for from us (for example, where an applicant or student has requested help from the regarding their visa status) or where the law or some other protocol requires that we obtain your consent (for certain marketing or fundraising communications, or participation in certain types of research projects). We will also ask for your consent before we submit your details to the Disclosure and Barring Service if we require evidence of whether you have any criminal convictions (see the section on Criminal Convictions below).

Where applicable, consent will always be specific and informed on your part, and the consequences of consenting or not, or of withdrawing consent, will be made clear.

#### **Special category and Conviction data**

In addition to the above, we may process types of personal data that the law considers to fall into a special category (such as race, religion, health, sexual life) or criminal records information. As part of our statutory and corporate functions, we will process special category data and conviction data. This will be in accordance with the College's [Special Category and Criminal Offence Data Policy](#) and Cumbria's.

- Where you have provided your explicit consent. Examples might include to register you with a professional body where it is a requirement of your studies (e.g. the General Medical Council for medical students) or where it is required in connection with particular programmes of study or prior to certain placements, or with welfare or special needs; or for the assessment and provision of services to disabled students.
- Where such processing is necessary for the establishment, exercise or defence of legal claims (including sharing with our insurers and legal advisers) or the prevention or detection of crime (for example, detecting criminal actions through the use of CCTV or reporting allegations to the police);
- Where it is necessary for statistical or research purposes; for example, for researching the diversity of our students and to help widen participation. Please note that use of your personal information in this way will be subject to appropriate safeguards including the pseudonymisation of personal information where this is possible. In all cases we will evaluate the benefits of our use of your personal information in this way against the possible impact on your rights and freedoms and any damage or distress you are likely to be caused as a result of such processing, and will not use this research or analysis in any way that will result in a direct decision or measure affecting you personally. If it is lawfully and ethically appropriate to do so, we may also seek your explicit consent to use your data in this way.
- To comply with legal obligations such as:
  - for research and statistical analysis, for example, sharing personal data with HESA and HEFCE / OfS as set out above; and
  - to assist the police or other law enforcement agencies or local or government authorities where required under national law.
- Where it is in your vital interests to do so and you are incapable of giving consent, for example to inform your specified emergency contact, the NHS or emergency services in the event of your illness or other emergency.
- For the purposes of learning analytics we may analyse special categories data under the legal basis of research, statistics or as is necessary for reasons of substantial public interest such as equality of opportunity.

Where these legal bases do not apply we will always seek your explicit consent in order to process your data.

### Criminal convictions

You will be asked to provide us with details of criminal convictions (spent or otherwise) where your course requires a DBS check. This will be necessary because you will be working with children or vulnerable adults, and/or because of fitness to practise or fitness to train requirements in certain regulated professions. We will only use the result of such checks and / or the criminal convictions data provided for the purpose it was collected and it will only be retained for a limited period (see the section on How long is my personal information retained for?).

## **Joint Controllership**

For the following situations, as described above, Imperial College London and the University of Cumbria will be acting as Joint-Data Controllers. This means that both organisations are responsible for any personal data that either organisation collects or uses;

- Student Registration and Enrolment – following the application process data will be processed for assigning and managing the onboarding of new students to courses;
- Administration of the course – this will include processing of data for the purpose of progressing / managing students each year
- Student Support and welfare – where data is processed for the purposes of providing and responding to any welfare concerns and the responsibilities both organisation have towards students and staff.
- Student misconduct – where data is processed due to potential breaches of either organisation code of conduct.
- Complaints – where data is processed as part of complaints made against individuals and or the organisations.
- Maintaining Security – where data is processed for the purposes of ensuring security standards including providing access for students to both organisations locations and any digital systems which they require access to.

As part of this process Personal Data and Special Category Data will be shared between the organisation for the purposes of administrating / managing the above situations where both organisations have the same goals and responsibilities. Data types will include;

### **Applicants / students**

#### **Personal Data**

- Name (first/Middle/Surname)
- USER ID
- CID / SIS ID
- Suffix
- Gender
- Education / Professional history
- Courses being undertaken along with awards / gradings etc.
- Contact details
- Usage of systems
- Photos / Videos
- Application history
- Financial information
- Engagement with the organisation and systems

#### **Special Category Data**

- Medical / health data
- Ethic background



- Sexual orientation
- Data collected for contextual offers
- Criminal Convictions Data

### **Sharing of Personal Data**

As part of this process, we will expect to share your personal data with:

- our agents and contractors (including providers of our student accommodation, catering, IT, and other support services) where they need to receive the information in order to perform the services or provide the products we have agreed to provide to you; 4
- providers which we may engage for the provision of payments to/from, or for the provision of portals to view documents related to student fees;
- third party contractors who assist us in our recruitment process;
- partner institutions and other bodies involved in the delivery of a course or programme e.g. affiliated colleges, NHS partners or industry partners;
- UCAS;
- sponsors, including the UK research councils, the Student Loans Company and external bodies and individuals who have funded student prizes, financial loans and awards;
- external examiners and providers of anti-plagiarism software / services;
- debt collection agencies where necessary; and
- relevant professional bodies where a programme of study leads to a qualification recognised by that body (e.g. the General Medical Council).

In addition to those organisations named above, we will also share your personal data with:

- former schools/colleges who will use your results for their statistics or research purposes.
- our agents and contractors where they require your personal data to perform the services outlined above; and

### **International transfers of data**

We will, in limited circumstances, disclose personal data to third parties, or allow personal data to be stored or handled, in countries outside the UK.

For example, we will transfer data to:

- partner institutions or organisations where you undertake, or plan to undertake, an international placement or exchange programme as part of your studies; and
- IT providers based overseas, including our providers of anti-plagiarism software and external agencies who assist in detecting plagiarism;
- Service providers acting as a data processor.

In these circumstances, your personal data will only be transferred on one of the following bases:

- where the transfer is subject to one or more of the "appropriate safeguards" for international transfers prescribed by applicable law (e.g. data transfer assessments and standard data protection contract clauses adopted by the European Commission and UK Government respectively);
- a UK decision provides that the country or territory to which the transfer is made ensures an adequate level of protection; or
- there exists another situation where the transfer is permitted under applicable law (for example, where we have your explicit consent).

### **Profiling and automated decision making**

We use some personal characteristics for profiling purposes to indicate where an applicant fulfils particular contextual admission criteria to help widen participation. However, all decisions about admission will ultimately be made by a dedicated Admissions Tutor.

We may use machine learning algorithms to analyse records of your submitted work. This is to investigate trends in student work, to evaluate a course and to inform future decisions on how to run a course. It will also be used to understand the utility of machine learning as a tool in this context. We will only carry out analysis on pseudonymised data and will not use the data to make any automated decisions about you.

Whilst a student, we may also undertake profiling to provide proactive welfare support. To clarify, where events, actions, a change in the relationship between us and student occur, we will look to offer guidance and support to assist you.

You have the right to object to the data processing activity at any time. You can do so by contacting the DPO with the contact details below, your request must provide specific reasons why you are objecting to the processing of your data and this should be based on your particular situation.

### **Your rights under the Data Protection Legislation**

Under data protection legislation you have the following rights:

- To obtain access to, and copies of, the personal data we hold about you.
- To require that we cease processing your personal data if the processing is causing you damage or distress;
- To require us not to send you marketing communications.
- To request that we erase your personal data;
- To request that we restrict our data processing activities in relation to your personal data;
- To receive from us the personal data we hold about you, which you have provided to us, in a reasonable format specified by you, including for the purpose of transmitting that personal data to another data controller; and
- To require us to correct the personal data we hold about you if it is incorrect.

**Please note** that the above rights are not absolute, and requests may be refused where exceptions apply.

If you have any questions about these rights or how your personal data is used by us please see the following;

- University of Cumbria - [Data Subject Rights](#)
- Imperial College London - [Individual Rights](#)

If you are not satisfied with how your personal data is used you can make a complaint to the Information Commissioner ([www.ico.org.uk](http://www.ico.org.uk)).

### **How long is my personal information retained for?**

After you leave, some student data (including some personal data) will be retained as a permanent archival record for research and legal purposes. Your data is otherwise retained in accordance with the our Retention Schedules which are available at:

- Imperial College London - [Retention Schedule](#)
- University of Cumbria – published internally

We will only retain your personal data for as long as necessary to fulfil the purposes we collect it for. To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data (such as operational, contractual, legal, accounting or reporting requirements) and whether we can achieve those purposes through other means, and the applicable legal requirements.

**Please note:** if you submit an application for admission, successfully or otherwise, as a matter of course we will permanently retain a copy of your application. This is in order to research and analyse trends and identify possible improvements in the admissions process and diversity, as well as its outputs including student results and careers. This is necessary to ensure appropriate monitoring of the effectiveness of our admissions services, and core educational functions, as a UK Higher Education provider.

Any resulting outcomes or findings that we publish will be statistical and anonymised and will not identify individuals. If you do object to our retaining your admissions information for these purposes, we will consider such objections alongside available ways to safeguard and minimise personal data that will not prejudice the College's core research functions. We will also retain applications to assist our ability to detect fraud.

If you have any further questions please contact

Imperial College London - [dpo@imperial.ac.uk](mailto:dpo@imperial.ac.uk).

University of Cumbria - [gdpr@cumbria.ac.uk](mailto:gdpr@cumbria.ac.uk)

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