

Sexual Harassment and Misconduct Support Service Data Privacy Notice

This Privacy Notice explains how we, University College Birmingham (the “**University**”) of Summer Row, Birmingham, B3 1JB, telephone number: 0121 604 1000, use the personal data we collect. The University collects information from you when you apply to use the Sexual Misconduct and Harassment Support Service. We are the data controller for such personal data relating to you and this Privacy Notice explains how we will process your personal data.

The personal data that we collect will be held in accordance with General Data Protection Regulation 2016/679 (the “**GDPR**”) and the Data Protection Act 2018.

The University’s Data Protection Officer is the Head of Student Records and Academic Registry:

Ruth Cartwright

Address: University College Birmingham, Summer Row, Birmingham B3 1JB

Email: dataprotection@ucb.ac.uk

Telephone: 0121 604 1000

There are certain principles that the University must adhere to. This means that we will make sure your information:

- Is treated fairly and is only used for the purposes for which we have collected it and for which we have a legal basis for processing.
- Will only be used for the purposes for which it was collected, unless we ask your permission to use it for something else.
- Will not be excessive. i.e. We will not hold information about you that we do not need.
- Will be accurate. You could help us with this by updating your details with us.
- Will not be kept longer than is necessary, although some of the data will be archived so that we can still confirm attendance and achievement in the future.
- Will be kept securely so that there is no loss of data or data breaches. Personal data is kept on secure servers and any hard copies are kept in secure locations. Only authorised people have access to your personal information. [We will ensure that, where personal data is shared and stored outside of the European Union, there are appropriate safeguards in place to protect your personal data.

You have certain rights as a data subject under the GDPR. This means that you have:

- The right to gain access to your personal data – You can ask us what information we hold on you.
- The right to rectification – You can ask us to put right any information that is incorrect or, where appropriate, given the purposes for which your data is processed, the right to have incomplete data completed.
- The right to erasure – You can ask for information to be removed, although this is a limited right which applies, among other circumstances, when the data is no longer required or the processing has no legal justification. There are also exceptions to this right, such as when the processing is required by law or in the public interest.
- The right to restrict processing – If you feel you are being disadvantaged by us holding information that is inaccurate, you can ask us to stop processing it until we fix it, or come to an agreement.
- The right to data portability – You can ask us to extract your information so that you can use it elsewhere.
- The right to object – You can object to us processing your data for marketing purposes. You can also object to us processing your data when such processing is based on the public interest or other legitimate interests, unless we have compelling legitimate grounds to continue with the processing.
- Where the legal basis for processing your personal data is based on your consent, the right to withdraw your consent at any time.
- Rights in relation to automated decision making and profiling – However, the University will never make any decisions about you without any human intervention.

For any information on your rights, or if you have questions or concerns, please contact the Data Protection Officer at dataprotection@ucb.ac.uk.

You also have the right to complain to the Information Commissioner's Office (ICO) if you feel that the University is not processing data correctly. You can make a complaint on the ICO's website: <https://ico.org.uk/> .

Why does the Sexual Misconduct and Harassment Support Service need information about you and what is the purpose of our processing?

We only process data for specified purposes and if it is justified in accordance with data-protection law. The University collects information from you when you register to use the Sexual Misconduct and Harassment Support Service or when people complete anonymous reports.

We will use the information that you give us for the purposes of reviewing requests for support, contacting you in respect of that registration, gathering data regarding incidents and to support investigations. Once you make contact with the service and have spoken to an adviser, notes will be taken during the meeting as a record of the service. These will be held in strictest confidence.

What personal data do we hold?

The data that we hold for the Sexual Misconduct and Harassment Support Service are as follows:

Biographical Details:

Name, Date of Birth, Gender, Title

Contact Details:

Address, email address, phone numbers

Course Details

Which course you are doing and the year of the programme.

Medical Details

GP information. And details that you give us regarding your or medical history as this may help us to help you.

Sensitive personal data

We may hold information relating to your physical and mental health, sex life or sexual orientation, political, philosophical or religious beliefs, depending on the nature of the issues you are raising with us.

This data may relate to incidents of sexual misconduct, harassment, domestic abuse, stalking or spiking.

How long will we hold your data?

Student/Client data destroyed after 7 years.

Who might we share your information with?

On occasion we may need to share your data internally and with third parties to provide you with the best quality services and support with third parties where required by law, where it is necessary to administer the working relationship with you or where there is another legitimate interest in so doing including, but not limited to, for joint appointments with other external organisations. The following is a list of UCB departments and external organisations with which we may share information. It is not an exhaustive list, but any organisation with which we share information will have confirmed their compliance with Data Protection Regulations.

- Our staff associated with the Sexual Misconduct and Harassment Support Service
- Other UCB Professional services – e.g. Mental Health and Wellbeing, Learning Services, including Disability and Neurodiversity Support
- If you are under 18 years of age, the Safeguarding Team
- Your GP (with your permission)
- NHS and External Mental Health Services (with your permission)
- Local specialist support services, with your consent

- Internal and external auditors
- Target Connect system which we use to store your information
- Software Providers that the University use may need access to resolve IT issues.
- Relevant authorities dealing with emergency situations at the University*
- Any other authorised third party to whom the University has a legal/contractual obligation to share personal data with

*Please note that in emergency situations where the University deems it to be in your (or potentially a third party's) 'vital interests' the University may share your personal data, including sensitive personal data with relevant individuals/agencies, e.g. the Police.

Legal Basis

The legal basis under which the University's Sexual Misconduct and Harassment Support Service processes personal data is as follows:

Your consent is required for processing personal data for in order to utilise the service (See GDPR Article 6(1)(a)). It can be withdrawn at any time.

Personal data relating to your health will only be held with your explicit consent to its processing (see GDPR Article 9(2)(a)).

In some circumstances, processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Data Controller (see GDPR Article 6(1)(e)). This will be where we have concerns about fitness to practise or the safety of third parties.

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