

## Safeguarding 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 personal data from you if you are referred to us due to safeguarding concerns. 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 Information Services

Ruth Cartwright

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

Email: [dataprotection@ucb.ac.uk](mailto: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 making sure your details are correct on the student portal.
- 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 or 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.

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 University need information about you related to safeguarding 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. We process personal data for the purposes of responding to and addressing safeguarding concerns. The University does not hold safeguarding records for all students, only those where these concerns have been raised and not without the student's knowledge.

## **What personal data do we hold?**

The data that we hold for safeguarding purposes are as follows:

### **Biographical Details:**

Name, Date of Birth, Gender, Title, nationality, ID number, photograph

### **Contact Details:**

Address, email address, phone numbers of you and others involved, including placements

### **Course Details**

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

### **Incident Details**

Details of specific disclosures or incidents including statements, logs and other relevant information.

### **Sensitive personal data**

We may hold information relating to your health or sex life depending on the nature of the safeguarding concern.

## **How long will we hold your data?**

Safeguarding data will be kept for as long as you study at the University and will then be archived. After you have left the University, there is still a legal obligation to hold the information for 6 years or, for care-leavers, until the person reaches their 26<sup>th</sup> birthday. After this period, your record will be destroyed.

## **Who might we share your information with?**

On occasion we may need to share your data internally and with third parties. The following is a list of 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 the GDPR.

- Our staff associated with safeguarding
- MyConcern IT system which we use to store your information.
- Statutory Government bodies
- Local Authorities)
- 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 processes your personal data for the purposes of safeguarding is as follows:

Processing is necessary for compliance with a legal obligation to which the controller is subject (see GDPR Article 6(1)(c)).

Processing is necessary in order to protect the vital interests of the data subject or of another natural person (see GDPR Article 6(1)(d)).

In respect of the sensitive personal data listed above, processing will only be carried out where it is necessary for reasons of substantial public interest (see GDPR Article 9(2)(g)).

<i>Version Number</i>	<i>Date Last revised</i>	<i>Revised By</i>
<i>1.0</i>	<i>13/04/2018</i>	<i>DPO</i>
<i>1.1</i>	<i>27/04/2020</i>	<i>DPO</i>
<i>1.2</i>	<i>09/06/2021</i>	<i>DPO/NM</i>
<i>1.3</i>	<i>07/09/2022</i>	<i>DPO/AW</i>