

EDINBURGH NAPIER UNIVERSITY PRIVACY NOTICE FOR STUDENTS

COLLECTION AND USE OF YOUR DATA

When students apply to and enroll with Edinburgh Napier University (“the University”), it is necessary for the University to collect and use (“process”) their personal information to provide them with the services they require to undertake their chosen course of studies and other support services offered by the University. The University complies with data protection legislation (“the legislation”), the General Data Protection Regulation: EU 2016-679 (“GDPR”) and the UK Data Protection Act 2018 (“DPA 2018”) as amended by “EU Exit” Regulations 2019 and now known as the UK-GDPR, and is committed to protecting students’ personal data. As a data controller the University is registered with the Information Commissioner’s Office and provides this privacy notice to let students know what we do with their personal information.

CATEGORIES OF PERSONAL DATA PROCESSED

The University processes personal data for the purposes set out in this notice and this may include: personal and family details; lifestyle and social circumstances; education and employment details; student records; financial details; disciplinary and attendance records; goods or services provided; visual images and audio recordings; details of complaints, incidents and grievances; information used to publish university publications; responses to surveys and online identifiers.

We also process sensitive or special categories of personal data that may include: racial or ethnic origin; religious or other similar beliefs; physical or mental health details; sexual life; offences and alleged offences; criminal convictions and proceedings, outcomes and sentences; biometric and genetic data.

REASONS/PURPOSES AND LEGAL BASES FOR PROCESSING

The University uses your personal data for these broad purposes and those in the following sections:

- To administer all aspects of your studies at the University e.g. admission, matriculation, supervision, attendance and engagement, attainment, progress, assessment and graduation, including any appeals, extenuating circumstances, complaint or disciplinary matters which may arise
- To provide you with advice and support on academic, careers, wellbeing & inclusion, pastoral and any relevant funding matters
- To administer the financial aspects of your payment of fees and student rents and our collection of debts owed
- For the management of University services, including computing, library, student accommodation, [EN]GAGE facilities and campus car parks
- To compile records and statistics for course evaluation, research, audit purposes and management information
- To monitor equal opportunities legislation and policies
- For alumni activities, including fundraising

The legal bases or conditions for processing are provided in Appendix 1 and [layered privacy notices](#) for specific processing activities are provided in addition to this document.

ACCESS TO AND DISCLOSURE OF YOUR DATA

The University undertakes to maintain your information securely and will restrict access to employees, our professional advisers, partner organisations, authorised agents, contractors and

data processors only where necessary and required. We will only disclose your data to additional external third parties where we:

- are required to do so under a statutory or legal obligation; or
- are permitted to do so by the legislation.

To fulfil our statutory or legal obligations we will provide your data as permitted under the legislation to these authorised bodies or agents acting on their behalf:

- The Higher Education Statistics Agency ([HESA](#))
- Other Government departments and agencies
- Local education authorities
- The City of Edinburgh Council Tax department
- The Scottish Funding Council (SFC)
- The Student Loans Company (SLC)
- The Student Awards Agency for Scotland (SAAS)
- The Home Office UK Visas and Immigration Agency¹
- Lothian Electoral Registration Officer
- Scottish Public Services Ombudsman

We may also disclose relevant information as permitted under the legislation to:

- Current or potential employers and placement providers
- Professional and regulatory bodies
- Former school attended, relevant HE and FE institutions and other educational partners in the UK and overseas
- Formal student sponsors and external organisations that are funding courses e.g. Scottish Enterprise, the British Council, The Data Lab, Edinburgh Innovations, etc.
- The NHS, Nursing & Midwifery Council, etc. for students on regulated courses, including for the purposes of fitness to practice matters
- Professional institutes and associations for the purposes of membership e.g. Chartered Management Institute, etc.
- The Police or other authorised officers for the purposes of criminal and civil proceedings
- The University's professional advisers including for legal and insurance purposes
- Edinburgh Napier Students' Association (ENSA)
- The Open University for the Back on Course Project, which offers impartial information, advice & guidance to students who withdraw early from their studies*
- The Scottish Wider Access Programme (SWAP), which gives independent advice to adults about accessing higher education through SWAP Access courses, for the purposes of tracking students throughout their studies at the University*
- The Lothians' Equal Access Programme for School (LEAPS)/Schools for Higher Education Programme (SHEP), which provides support and advice to eligible students to help them achieve entry to Higher Education, for the purposes of tracking students throughout their studies at the University*
- Hub for Success which provides support for care experienced students and other similar organisations where the University has implemented safeguards to comply with the legislation.
- Pre-register and register students on University provided systems e.g. [Safezone](#)

Where the University transfers personal data to a country outside the UK, EEA and other "adequate" countries we will ensure that appropriate safeguards are in place e.g. contractual arrangements.

Whilst the University may collect and process data about students and their studies for the purposes of optimising learning and the learning environment, and specifically for the purposes of providing support to students to engage effectively with their studies, progress satisfactorily and achieve successful outcomes, the University does not make decisions about individuals based

¹If you are an overseas student, the University will provide your data to the UK Visas and Immigration Agency under the Points Based Immigration System. Our reporting requirements are explained in Annex 2 of the Agency's [Guidance](#)

solely on automated processing. When used, this data is processed to highlight where support is required for further manual processing by staff involved with the process.

*We will contact relevant students at the appropriate times to advise about the data to be transferred and offer an opt-out before personal details are provided

OTHER USES OF YOUR PERSONAL DATA

Surveys

Your data may be used for these surveys:

- The [National Student Survey](#) (NSS): we will contact you at the appropriate time to offer you an opt-out of taking part in this survey before your personal details are transferred. IPSOS Mori is the agency which undertakes these surveys on behalf of all UK Universities and student data is shared with them for this purpose.
- The Graduate Outcomes Survey is a national survey of everyone who has recently qualified from any university or HE college in the UK, which is done by the University on behalf of the [Higher Education Statistics Agency](#) (HESA). You will be contacted 15 months after you have left the University about the survey, by a survey contractor commissioned by HESA. You can opt-out of this survey by emailing student.surveys@napier.ac.uk.
- Other surveys which relate specifically to an aspect of your student experience and are relevant to you e.g. Student Futures surveys relating to employability and careers, Leaver's surveys, etc.

Sensitive Personal Data

Where you have given us [sensitive personal data](#) e.g. about your ethnic origin, a disability or health related matter, [criminal convictions](#), etc. this data will be used strictly as permitted under the legislation to comply with the requirements of regulatory bodies (e.g. HESA) and equal opportunities legislation. Appropriate details of your disability and support needs will be shared in accordance with the University's [Data Protection Code of Practice](#) with relevant University staff on a need to know basis, to provide you with the best possible support for your studies.

- Further information on equality and diversity at the University is available [here](#).
- The layered Privacy Notice for Wellbeing and Inclusion is available [here](#).

The University has a Duty of Care to students and information is shared between departments internally to ensure we provide appropriate support. We may share information with the NHS or your GP should exceptional circumstances warrant this.

Graduation ceremonies

The University's Graduation ceremonies are regarded as public events. All students who are intending to graduate or may be eligible for an award, and whether attending a ceremony or not, must read the appropriate [Graduations' Privacy Notice](#) for information about the uses of personal data.

Online educational tools: Turnitin®UK and GradeMark® UK

Throughout your studies at the University, your work may be submitted to **Turnitin®UK**, a text matching tool for assessment and referencing practice and/or **GradeMark® UK**, an essay marking tool. More information on both services is available [here](#).

CCTV and body worn radio audio recordings

The University's premises, student residential accommodation and grounds are monitored by CCTV systems for the purposes of public safety, security and the prevention and detection of crime. CCTV footage may also be used for investigations or proceedings arising under the University's Complaints Handling Procedure, Student Conduct Regulations and the Student Accommodation Code of Conduct.

In the event of a serious incident arising and strictly in accordance with University procedures, the University's Security Officers may make body worn radio audio recordings, which may be used in

criminal investigations or investigations or proceedings arising under the University's Complaints Handling Procedure, Student Conduct Regulations and the Student Accommodation Code of Conduct.

Recording of lectures

The University's policy on [Recording of Learning & Teaching Activities](#) sets out the requirements for audio and visual recording of lectures and other classroom activity.

Research

As allowed by the UK-GDPR Principle 2 (Article 5(1)(b)) the University uses data for research purposes where this processing is not considered to be incompatible with the initial purposes for collecting your personal data.

Freedom of Information (Scotland) Act 2002 (FOISA)

Please note that under FOISA, in exceptional circumstances we may release personal data where the public interest outweighs your individual right to privacy. The University regularly provides statistical information as required by FOISA.

HOW WE WILL CONTACT YOU

We may contact you by telephone, text message (SMS), email or post.

The University will use the email address it provides you with (e.g. [your matriculation number]@live.napier.ac.uk) as the primary means of communication with you. It is your responsibility to regularly check this email address to ensure you do not miss important information. In addition to communications directly relevant to you and your course, the University will send other communications, newsletters and notifications to this address, as it deems relevant and necessary.

In certain circumstances e.g. University email account disabled for non-payment of fees (tuition, library, etc.), you are not responding to contact via the University email address provided, we will contact you using the current contact details you have recorded in your [eStudent Record \(SITS\)](#). Please keep your details up to date at all times, as these may also be used to confirm your identity. The University uses third party systems and services to send 'bulk' emails to students, where appropriate e.g newsletters, etc.

When you contact us, particularly by telephone, we may need to request specific information from you to help us confirm your identity and ensure that we are speaking to the right person. This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

SECURITY AND RETENTION OF YOUR PERSONAL DATA

When you leave the University, appropriate data will be kept permanently in our student archive in accordance with our [records' retention schedules](#).

For services provided locally by Information Services, information is stored on servers located in secure University datacentres. These datacentres are resilient with secure access controls and business continuity measures in place. Including regular back-ups to prevent data loss. The University has various data protection and information security policies and procedures to ensure that appropriate organisational and technical measures are in place to protect the privacy of your personal data.

The University makes use of a number of third party, including "cloud", services for information storage and processing. Through procurement and contract management procedures the University ensures that these services have appropriate organisational and technical measures to comply with data protection legislation.

The University has Policies and Codes of Practice relating to the technical and organisational measures in place to protect personal data – for more information please click [here](#).

YOUR RESPONSIBILITIES WITH REGARD TO DATA PROTECTION

These include to:

- Keep your personal details up to date. You can do this [here](#).
- Process personal data for your studies/research strictly in accordance with the University's [Data Protection Code of Practice](#) and where relevant any ethical or professional Codes.

YOUR RIGHTS UNDER THE LEGISLATION

Subject to the legal basis for processing and exemptions within the legislation, your rights include being able to:

- Have access to your personal data
- Apply for rectification where your data is incorrect
- Take steps to prevent processing which may cause you harm or distress
- The right to withdraw consent where this is the legal basis for processing

Additional rights which are more likely to be conditional include:

- Erasure of certain personal data
- Restriction of processing
- Receive a copy of the personal data provided by yourself in a machine readable format
- Object to processing in certain circumstances
- Not to be subject to automated decision making, including profiling

For more information about your rights please visit: [Edinburgh Napier University Data Protection Rights Guidance](#)

FURTHER INFORMATION

- For any queries or concerns about the use or accuracy of your data or if you would like more information about your rights and how to exercise them contact [Governance Services](#).
- Visit [MyNapier](#)
- Visit the [UK Information Commissioner's site](#)

Use of University provided systems e.g. Outlook, for personal use.

Whilst the use of appropriate University system for personal use is allowed, Students are responsible for this use and the University is not the data controller for any student personal data processed on University systems for personal use, outside students' studies. However, if you are processing your personal data on University systems there may be circumstances where the University is legally obliged to access those systems and therefore your data e.g. for security purposes.

Third Party provided systems

The University uses many third party provided systems e.g. Microsoft, to provide services and for administration purposes, as necessary and relevant. In general, the third-party providers used by us will only collect, use and disclose your information to the extent necessary to allow them to perform the services they provide to us. However, many use anonymised and aggregated data (i.e. data where the data subject is not identifiable) obtained in connection with the supply of the Products and Services for the purposes of providing and improving the Products and Services, security and conducting comparative data analysis and marketing intelligence analysis and reports that may be shared with the University and, where agreed, other third parties.

Please note that certain third-party service providers, such as payment transaction processors, have their own privacy policies in respect to the information we are required to provide to them for your transactions. For these providers, when you are transferred to their services, we recommend that you read their privacy policies so you can understand the manner in which your personal information will be handled by these providers. In particular, remember that

certain providers may be located in or have facilities that are located a different jurisdiction than either you or us. So, if you elect to proceed with a transaction that involves the services of a third-party service provider, then your information may become subject to the laws of the jurisdiction(s) in which that service provider or its facilities are located.

Once you leave our website / network or are redirected to a third-party website or application, you are no longer governed by University Privacy Notices. If you click on links that direct you away from our website or services we are not responsible for the privacy practices of other sites and encourage you to read their privacy statements.

Appendix 1 – Legal Bases/Conditions for Processing

Where processing is necessary to:

- Provide and administer all aspects of your studies at the University e.g. admission, annual matriculation, supervision, attendance, attainment, progress, assessment and graduation, including any appeals, extenuating circumstances, complaint or disciplinary matters which may arise
- Provide you with advice and support on academic, careers, pastoral and any relevant funding matters
- Administer the financial aspects of your payment of fees and the collection of debts owed

The legal basis the University relies on is Article 6(1)(e): for the performance of a task carried out in the public interest or in the exercise of the official authority vested in the controller, namely the University's [Statutory Instruments](#): "for the objects of providing education, carrying out research, and promoting teaching, research and general scholarship" and the administration and support thereof, which includes ensuring support is provided and adjustments are made where appropriate to facilitate the provision of the objects.

Including the processing listed below including the administration/provision of:

All aspects of your studies:

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| <ul style="list-style-type: none"> • Application information for enrolment/matriculation. This may include criminal conviction data and Disclosure Scotland checks where specifically required by the course either by law or the public interest as allowed by DPA Sch 1. • Evaluation of academic assessments and other course work. • Immigration. • Academic appeals • Induction events, registration of students on courses and transfers to new courses, breaks in study, etc. • Library services, including resources provided by third parties. • Computing facilities and services, including resources provided by third parties e.g. Microsoft, Respondus/Moodle, JISC/JaNet, Tribal, etc. • Third parties for the detection of academic misconduct, including other institutions and tool providers e.g. Turn-It-In, GradeMark, etc. • Monitoring student engagement with course materials and attendance for the purposes of identifying additional support requirements. • Visa compliance, change of circumstances and immigration welfare services for international students, including applications for visa extensions. • Internal student surveys, including feedback on services and courses • Research and statistical analysis, including HESA, Athena Swan, etc. • Student identity cards. • Recording lectures • Extenuating circumstances, fit to sit and other issue affecting your assessment performance. | <ul style="list-style-type: none"> • Local education authorities • Other Universities • Relevant Further Education (FE), Higher Education (HE) and partner institutions and organisations within and outwith the European Union (EU) and European Economic Area (EEA), including for the purposes of delivering exchange placements, placements, joint, dual, collaborative and global online programmes/degree courses and research projects. • Other organisations with which the University is delivering research projects. • Other Government departments and agencies • Placement providers, including businesses and other partner organisations within and outwith the EU/EEA e.g. Erasmus • Mentors • External examiners • Third party software providers providing services to collect and update data, administer events, distribute communications, • Professional, industrial and accrediting bodies where membership is a course requirement, where necessary to confirm qualifications/awards, including the QAA, etc. • External organisations and Skills Development Scotland for delivery of the Graduate Level Apprenticeship scheme. • Current or potential employers. • Former school attended. • Open University for the "Back on Course" project (* opt out available). • Scottish Wider Access Programme (SWAP) (*opt out available). |
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<ul style="list-style-type: none"> • Conferring academic awards. • Graduation services and ceremonies. • Publication of awards (*opt out available) • Assessment extension and deferral requests, extenuating circumstances and study suspension applications, academic appeal submissions, complaints, incidents, investigations, disciplinary proceedings and grievances for academic and non-academic conduct 	<ul style="list-style-type: none"> • The Lothians Equal Access Programme for School (LEAPS) and Schools for Higher Education Programme (SHEP) (* opt out available). • Higher Education Academy
<p>Advice and support on academic, careers, pastoral and any relevant funding matters:</p> <ul style="list-style-type: none"> • Care leaver support and funding, including sharing data with local authorities for these purposes. 	<ul style="list-style-type: none"> • Support services for academic and non-academic purposes e.g. study support and disability/health support.
<p>Fees, payments and debt collection:</p> <ul style="list-style-type: none"> • Course fees and payments, including third party providers of banking and payment services e.g. Royal Bank of Scotland, Western Union, ePay, etc. • Financial awards and prizes, scholarships, bursaries and grants, including those provided by 3rd parties • Financial aid e.g. hardship funding • External debt recovery agents. • 	<ul style="list-style-type: none"> • Grant and research funding bodies to evidence allocation of grant funding payments, including payment of salaries where students are undertaking externally funded work e.g. European Commission, Research Council's UK, Government, Charities and other institutes and associations.
<p>Where processing is necessary for:</p> <ul style="list-style-type: none"> • The management of University services, including student accommodation, [EN]GAGE facilities, printing services and campus car parks, including the administration of financial aspects of these services and the collection of relevant debts <p>The legal basis the University relies on is Article 6(1)(b): for the performance of a contract to which the data subject is party or in order to take steps as the request of the data subject prior to entering into a contract.</p>	
<p>Provision and administration of:</p> <ul style="list-style-type: none"> • University accommodation, including the processing and recovery of rents/fees and, where appropriate, health and disability information relevant to the provision of accommodation. • Job applications and employment contracts for student employees e.g. Student Ambassadors. 	<ul style="list-style-type: none"> • Administration of optional support services you have requested e.g. careers advice, mentoring, counselling services, financial advice and access to sporting facilities. • Third party provider for car parking administration. • 'Enjoy' cashless and loyalty cards. • Gym membership and eligibility • Printing Services
<p>Article 6(1)(c) where processing is necessary for compliance with a legal obligation to which the controller is subject.</p>	
<ul style="list-style-type: none"> • Monitor compliance with equal opportunities legislation and policies (Equality Act 2010). • To the University's professional advisers, including auditors. • Sharing information with the Edinburgh Napier Students' Union (ENSA) for membership confirmation (Education Act 1994 S.22) • Scottish Funding Council • Student Loans Company • Student Awards Agency for Scotland 	<ul style="list-style-type: none"> • Statistical and survey returns required by 3rd party agencies e.g. Higher Education Statistics Agency (HESA). • Compliance with other legislation, such as the Modern Slavery Act 2015, "Prevent" legislation, etc. • Freedom of Information requests (FOISA 2002). • The Home Office UK Visas and Immigration Agency • Other governmental or regulatory agencies (national/international) in connection with visa/immigration status.

Where the student (data subject) has given consent of the processing of their personal data for one or more specific purposes, this shall be the legal basis under Article 6(1)(a) for the following:	
<ul style="list-style-type: none"> • Verification of awards via HEDD. • For the purposes of a referral to an external party. 	<ul style="list-style-type: none"> • Collection of data for 3rd party agency surveys. • Sharing data with employers
Where Art 6(1)(f), legitimate interests, is the basis for processing the individuals must be advised what these legitimate interests are for the data controller/third party	
Processing	Legitimate interests reasons
<ul style="list-style-type: none"> • Registration as a member Alumni (see Alumni Privacy Notice) 	<ul style="list-style-type: none"> • Maintaining relationships and networks, provision of Alumni services and information.
<ul style="list-style-type: none"> • Monitoring IT services in line with acceptable use policy 	<ul style="list-style-type: none"> • Network security
<ul style="list-style-type: none"> • Formal student sponsors 	<ul style="list-style-type: none"> • Subject to contract conditions of sponsorship.
Where Art 6(1)(d), vital interests, is the basis for processing personal data will be processed to protect the vital interests of the data subject or other individual	
<ul style="list-style-type: none"> • Emergency situations 	
Art 9(2)(c) processing is necessary to protect the vital interests of the data subject or of another person, where the data subject is physically or legally incapable of giving consent.	
<ul style="list-style-type: none"> • In an emergency situation (emergency services &/ next-of-kin) 	
Art 9(2)(f) processing is necessary for the establishment, exercise or defence of legal claims.	
<ul style="list-style-type: none"> • The University's professional advisers including for legal and insurance purposes. 	
Article 9.2 (g) - as permitted by under section 10(3), and Schedule 1, of the Data Protection Act 2018 for the processing of special category (sensitive) personal data for the purposes below:	
<ul style="list-style-type: none"> • Part 1(2) – Health or social care purposes • Part 2(6) - Statutory purposes (see 6.1 (e) above) • Part 2(8) – Equality of opportunity or treatment 	<ul style="list-style-type: none"> • Part 2(16) – Support for individuals with a particular disability or medical condition • Part 2(17) – Counselling, etc. • Part 2(18) - Safeguarding of children and of individuals at risk
Article 9(2)(h) processing is necessary for the purposes of the provision of health or social care.	
<ul style="list-style-type: none"> • Appropriate details of disclosed disabilities to provide support for studies and access to facilities. 	<ul style="list-style-type: none"> • The University adheres to the code of ethics of the British Association of Counsellors and Psychotherapy (BACP).
Article 9.3 – personal data may be processed under this condition when the data are processed by or under the responsibility of a professional subject to the obligation of professional secrecy by UK law or by rules established by BACP (British Association of Counsellors and Psychotherapy) and COSCA (Scotland's professional body for Counselling and Psychotherapy).	
Exemptions under Schedule 2 of the DPA 2018 e.g. for the purposes of public safety, security and the prevention and detection of crime and fraud.	
<ul style="list-style-type: none"> • CCTV and audio recording (the latter in limited circumstances as per the University's CCTV Code of Practice). • Police and other regulatory bodies investigating crime, fraud or national security matters. • Other regulatory bodies for purposes other than investigating crime, fraud, etc. e.g. Health and Safety Executive, etc. • Verification of award to protect against degree fraud. • Employers. 	<ul style="list-style-type: none"> • City of Edinburgh Council Tax Department • Lothian Electoral Registration Office • The Home Office UK Visas and Immigration Agency • Scottish Funding Council • Student Loans Company • Student Awards Agency for Scotland • Other Government departments and agencies e.g. HM Revenues and Customs, Foreign and Commonwealth Offices, etc. • Other Local Authorities e.g. Benefits • For safeguarding purposes

Please note that this list is not exhaustive
Please see additional information in the University's Layered Privacy Notices