



## Applicants and Students Privacy Notice

### Purpose of this Notice

We, London South Bank University (LSBU) of 103 Borough Road, London, SE1 0AA telephone number: 020 7815 7815 are the data controller for the personal data that we process relating to you.

This Privacy Notice explains how we will process your personal data. LSBU is registered as a data controller with the Information Commissioner's Office, our data controller registration is Z6533032 and our registration can be viewed at <https://ico.org.uk/about-the-ico/what-we-do/register-of-data-controllers/>

Amendments may be made to this Privacy Notice. However, the current version of this Privacy Notice can always be found at

[https://www.lsbu.ac.uk/\\_data/assets/pdf\\_file/0008/95642/data-protection-notice.pdf](https://www.lsbu.ac.uk/_data/assets/pdf_file/0008/95642/data-protection-notice.pdf).

This Privacy Notice also contains details of how our subsidiary company, South Bank University Enterprises Limited processes your personal data.

Details of how the University complies with Data Protection Law (the General Data Protection Regulation (GDPR), the Data Protection Act 2018, and other applicable law about the processing of personal data and privacy) are set out in the Data Protection Policy which is available at

[https://www.lsbu.ac.uk/\\_data/assets/pdf\\_file/0004/11686/university-data-protection-policy.pdf](https://www.lsbu.ac.uk/_data/assets/pdf_file/0004/11686/university-data-protection-policy.pdf).

**“Personal data”** refers to information relating to a living, identifiable individual. It can also include "special categories of data", which is information about your racial or ethnic origin, religious or other beliefs, and physical or mental health, the processing of which is subject to strict requirements. Similarly, information about criminal convictions and offences is also subject to strict requirements.

“**Processing**” means any operation which we carry out on your personal data e.g. obtaining, storing, transferring, deleting.

### **Your personal data**

We hold a range of personal data about you, some of which you provide to us direct and some of which we receive from third parties, such as UCAS, where relevant. **See below for further details of personal data we receive from third parties.** Examples of categories of personal data which we hold are: your contact details, prior educational experience/attainment, immigration information (e.g. passport details, language proficiency), where relevant, health information (including any disabilities) and other equality-monitoring data you provide to us. In addition, if you come to study with us, we process data about your academic performance, attendance and progression, and where relevant, breaches of our policies (e.g. academic or other misconduct concerning LSBU-related activities). We also process contact and educational details after you have completed your programme or your activities with us are otherwise terminated.

### **The purposes for which we process your personal data and the legal basis**

When you are an applicant, we process your personal data for the purposes of assessing your eligibility to be offered a place on one of our academic programmes.

If you take up a place at the University, we process your personal data for the purposes of providing our academic programmes and related services.

If you are unsuccessful or do not take up a place at the University, we will retain your personal data in line with our retention schedules for statistical and audit purposes or in the event of a complaint or an appeal.

We only process data for specified purposes and if it is justified in accordance with data-protection law. The table below lists the various purposes for which we process personal data and the corresponding justification for it. Some processing of your personal data is justified on the basis of contractual necessity. In general, this applies to personal data you provide to us to process your application and if enrolled, to monitor academic performance. Without that information, we would be unable to provide you with your chosen academic programme and related support services. Some personal data is also

required to fulfil our legal obligations regarding immigration. A failure to provide that information would prejudice your application for a Tier 4 visa.

No.	Purpose	Legal basis/justification
1.	Assessing eligibility to undertake our academic programmes.	Processing is necessary for the purposes of taking steps prior to entering into a contract with us.
2.	Supporting applicants through the application process and providing further information on the services we can offer.	Necessary for negotiating to enter into a contract and legitimate interests in providing support to applicants.
3.	Provision of academic programmes and related services (including IT and library services).	Necessary for performing a contract, i.e. to provide your chosen academic programme. This can be a contract with us or a contract between you and your home institution (“contractual necessity”).
4.	Identifying students and assisting them in trying to succeed in their learning via the dashboard system.	Contractual necessity and legitimate interest in assisting our students to succeed in their studies.
5.	Assessment of academic progress and performance (including attendance), and where necessary providing support.	Contractual necessity.
6.	Financial Administration (including provision of loans and bursaries).	Contractual necessity.
7.	Administration of extenuating circumstances procedures.	Contractual necessity.

No.	Purpose	Legal basis/justification
8.	Administration of complaints, academic appeals, interruption and withdrawal, fitness to study and fitness to practice procedures.	Contractual necessity.
9.	Immigration matters.	Necessary for us to comply with our legal obligations in relation to students who hold Tier 4 visas. Such processing may also be in the public interest.
10.	<p>Making reasonable adjustments for disabilities and providing relevant support to students with ill health and providing wellbeing support.</p> <p>This includes processing special category information.</p>	Explicit consent.
11.	Employability Support.	Contractual necessity and our legitimate interest in assisting our students and alumni to progress in their careers.
12.	Regulating LSBU's community (including dealing with misconduct under our procedures for academic and other misconduct including disciplinary procedures).	Contractual necessity and our legitimate interest in maintaining academic standards and the good order of the University community.
13.	Obtaining payment of fees.	Contractual necessity and our legitimate interest in obtaining payment for the services we provide.

No.	Purpose	Legal basis/justification
14.	Protecting our property and assets (e.g. by dealing with misconduct).	Necessary for our legitimate interest in safeguarding our property and assets.
15.	Providing appropriate I.T. and other infrastructure facilities e.g. a virtual learning environment.	Contractual necessity; legitimate interest in providing a proper infrastructure to support the provision of academic programmes and related student services.
16.	Communicating with students.	Contractual necessity and our legitimate interest in marketing LSBU and promoting student welfare.
17.	Management of Halls of Residence.	Contractual necessity.
18.	Assisting students to obtain residential accommodation/housing.	Consent.
19.	Registering alumni to maintain an alumni network.	Necessary for our legitimate interests in maintaining an alumni network, and marketing. (see the <a href="#">Alumni and Supporters Privacy Notice</a> for further information).

There may be other processing in addition to the above, for example, when you access our website which uses cookies or when we take photos of our events and publish them. This is done on the basis of our policies and we will inform you about such processing at the time when the data is obtained or as soon as reasonably possible thereafter.

Where the basis of processing your personal data is contractual necessity and you fail to provide the personal data in question, LSBU may not be able to process your application or provide you with the programme for which you have applied. A failure to provide

immigration-related data may result in failure to obtain a Tier 4 visa for those who students who require it.

**Personal data received from third parties**

No.	Data	Source
1.	Contact details and attainment.	UCAS, UKPASS, call agents.
2.	Your immigration status.	Home Office (UKVI).
3.	Transcripts - details of programmes undertaken or being undertaken at another institution; attainment.	Another institution and/or secondary/high schools.
4.	Medical, mental health, accessibility-related and similar information. This is special category personal data. We only obtain this information from third parties if you give us consent to do so or if it's a matter of life and death.	Another institution, medical practitioners and/or family members.
5.	Your financial status.	Student Loans Company.
6.	Details of any University-associated complaint.	Office of the Independent Adjudicator, and/or Competition and Markets Authority
7.	Information required to assess eligibility for courses i.e. from employers or sponsors.	Employers or sponsors.
8.	Details as to how you are performing in your apprenticeship job.	Your employer if you are an apprentice.
9.	Details as to how you are performing on placement.	Your placement provider.

No.	Data	Source
10.	Details of performance at a partner institution including attendance and disciplinary issues.	International study abroad or exchange programme partner or collaboration partner.

### **Recipients of personal data**

On occasion we may need to share your data with third parties. The following table lists what information we may share with whom:

No.	Recipients	Data which we may share with them
1.	South Bank University Enterprises Limited.	Contact details, Course information where students and graduates are interested in entrepreneurship activities and relevant employability activities.
2.	The Students' Union.	Contact details, addresses, demographic details, course details – we will not share this if you have opted out of being a member of the Students' Union.
3.	Placement providers.	Your CV as well as any accessibility and assistance requirements and related information.
4.	Co-curricular and/or extra-curricular excursion providers.	Accessibility and assistance requirements and related information.
5.	Your employer if you are an apprentice.	Details as to how you are performing in the academic part of your apprenticeship.
6.	Your employer or sponsor if	Details as to how you are performing and

No.	Recipients	Data which we may share with them
	you are a sponsored student <sup>1</sup> .	attendance in your course.
7.	External examiners.	Identification details and exam papers.
8.	Turnitin.	Identification details and assessment papers in order to detect plagiarism.
9.	Education and Skills Funding Agency if you are an apprentice.	Student details including course and employer information and academic progression.
10.	End point assessor if you are an apprentice.	Identification details and assessment details.
11.	UK Home Office.	Passport details; contact details; programme details including attendance, placement details and work experience; fees and housing details.
12.	Halls tutors.	Student details.
13.	Housing providers.	Student details and passport details.
14.	Data processors i.e. third parties who process personal data on our behalf e.g. software providers.	Application details; attendance records.
15.	Local Authority (including the electorate office).	Contact details and course details where there's a legal basis.
16.	Student Loans Company.	Contact details and course details including progression.

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<sup>1</sup> If you have provided consent.



No.	Recipients	Data which we may share with them
17.	University's insurers and internal and external auditors, Health and Safety Executive in respect of accidents or incidents connected with the institution.	Student details and details in relation to any incident.
18.	Scholarship schemes.	Contact details, progression and performance information.
19.	Research partners.	Contact details, attendance and progression information.
20.	Regulatory bodies, where you are on a professional programme.	Contact details, attendance and progression information and potentially disciplinary or fitness to study or fitness to practice issues.
21.	Government agencies i.e. HMRC*.	Contact details and potentially other information if requested where there is a legal basis.
22.	Police*.	Contact details and potentially other information if requested where there is a legal basis.
23.	London Borough of Southwark or other members of the Channel Panel, a programme which provides support to individuals who are at risk of being drawn into terrorism as defined in Part 5, Chapter 2 of the Counter Terrorism and	Contact details and other information that the University could be required to supply in order to comply with the Counter Terrorism and Security Act 2015.

No.	Recipients	Data which we may share with them
	Security Act 2015.	
24.	Social Workers*.	Contact details and potentially other information if requested where there is a legal basis.
25.	Potential employers or other universities requesting a reference or confirmation of qualifications.	Attendance, progression and performance details including disciplinary or academic misconduct issues or breaches of the University's regulations.
26.	Close family, next of kin and emergency services where there is an emergency situation such as illness or serious injury.	Personal data including potentially special category data if necessary.
27.	Other UK based and international educational institutions which the University partners or collaborates with to deliver placements, study abroad programmes, dual awards, franchised or validated awards or any articulation or progression agreement.	Contact details, attendance, progression and performance details and details of any disciplinary or academic misconduct issues or breaches of the University's regulations.
28.	Higher Education Statistics Agency ("HESA"); Office for Students and Government Departments such as the Department for Education for analysis of student data or to	<p>Personal details, progression and performance details, details of the Destination of Leavers' Survey.</p> <p>The privacy notice for the Office for Students including sensitive data that they may hold, can be found here</p>

No.	Recipients	Data which we may share with them
	carry out statutory functions.	<a href="https://www.officeforstudents.org.uk/privacy/">https://www.officeforstudents.org.uk/privacy/</a> .  The privacy notice for HESA can be found here  <a href="https://www.hesa.ac.uk/about/website/privacy/">https://www.hesa.ac.uk/about/website/privacy/</a> .
29.	External debt collection agencies, in relation to student debts where the University's own recovery attempts have proven unsuccessful.	Contact details and details of debt.

\* This will only be shared on request and where there is a legal basis for doing so.

### **Overseas transfers of personal data (i.e. outside the European Economic Area (EEA))**

Where possible, we aim to hold personal data relating to students within the EEA. Where any of your personal data is transferred outside the EEA it will be subject to a legally binding data sharing agreement and to an adequacy decision by the European Commission (country, territory or specified sectors), or other appropriate safeguards as set out in Article 46 of the GDPR.

### **Retention of data**

The length of time that we keep your personal data for is set out in the Student Records Retention Schedule at [https://www.lsbu.ac.uk/\\_data/assets/pdf\\_file/0003/11928/student-records-retention-schedule.pdf](https://www.lsbu.ac.uk/_data/assets/pdf_file/0003/11928/student-records-retention-schedule.pdf).

In addition, personal data held in connection with our employability service will be held for 2 years after you graduate in order to assist you in developing your career.

### **Your rights as a data subject**

As a data subject, you have the following rights in relation to your personal data processed by us:

- To gain access to your personal data;
- To rectify inaccuracies or where appropriate, given the purposes for which your data is processed, the right to have incomplete data completed;
- To have your personal data erased. This is a limited right which applies, among other circumstances, when the data is no longer required, consent has been withdrawn and/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;
- To object to the processing of your personal data for marketing purposes. You may also object when the processing is based on the public interest or other legitimate interests, unless we have compelling legitimate grounds to continue with the processing.
- To restrict the processing of your personal data. This is a limited right which will apply in specific circumstances and for a limited period.
- To obtain a copy of your data in a commonly used electronic form if the data is processed by automated means and the processing is based on your consent or contractual necessity.
- To not have decisions with legal or similar effects made solely using automated processing, unless certain exceptions apply.

Where we are relying on your consent to process your data, you may withdraw your consent at any time. Your requests will be considered at the latest within one month.

### **Exercising your rights, queries and complaints**

For more information on your rights, if you wish to exercise any right or for any queries you may have or if you wish to make a complaint, please contact our **Data Protection Officer**:

Hywel Williams

Address: London South Bank University, 103 Borough Road, London, SE1 0AA

Email address: [dpa@lsbu.ac.uk](mailto:dpa@lsbu.ac.uk)

### **Complaints to the Information Commissioner**

You have a right to complain to the Information Commissioner's Office (ICO) about the way in which we process your personal data. You can make a complaint on the ICO's website <https://ico.org.uk/>.