



Code: QA412
Title: Student Data Usage Policy
Date: 26 March 2019
Approval: ICT Security Committee

1.0 Purpose of Policy

From time to time the University is required as a Data Controller to record, collate, and process Personal Data relating to its students. This policy aims to communicate to both students and persons involved in the processing of such data, the manner in which the University obtains such Personal Data, the purpose for which it must be kept, controlled, and processed and the manner in which students can access the data. The processing of Personal Data by the University must be undertaken in accordance with the statutory requirements of the Data Protection Acts, 1988 to 2018 (the “**Data Protection Acts**”) and the General Data Protection Regulation 2018 and this policy also sets out how such compliance is achieved.

2.0 Scope

This document outlines the policy of the National University of Ireland Galway (the “**University**”) concerning the Personal Data (as defined below) it collects and processes in relation to students. This policy applies to those engaged in the processing of Personal Data relating to students for administrative, research, or any other purposes, including: -

- any person employed or engaged by the University who process Personal Data or Special Categories of Personal Data in the course of their employment or engagement for academic, administrative, research, and/or any other purposes;
- any person (including but not limited to research placements, secondments, work placements, visitors or interns) who is given access to University systems containing Personal Data or Special Categories of Personal Data, and who process Personal Data or Special Categories of Personal Data in the course of their access;
- any student of the University who process Personal Data or Special Categories of Personal Data in the course of their studies for academic, administrative, research, and/or any other purposes;
- individuals who are not directly employed by the University, but who are employed by contractors (or subcontractors) and who process Personal Data or Special Categories of Personal Data in the course of their duties for the University;
- All locations from which University Personal Data or Special Categories of Personal Data are accessed, including access while travelling and home use;
- Any Personal Data or Special Categories of Personal Data held or transmitted in paper, physical, or electronic formats and communicated verbally in conversation or over the telephone;
- The University’s clubs and societies.

Hereinafter these are collectively referred to as “**Member**” or “**Members**”.

3.0 Definitions

There are certain important specific terms which are given a particular meaning within the Data Protection Acts. Definitions in this policy are intended for use within the NUI Galway Policy and operational framework. They are not necessarily the same as definitions of the same terms contained in external documents, whether or not referred to in this Policy. In this Policy:

“Data Controller” means— (a) a competent authority that, whether alone or jointly with others, determines the purposes and means of the processing of Personal Data, or (b) where the purposes and means of the processing of Personal Data are determined by the law of the European Union or otherwise by the law of the State, a controller nominated— (i) by that law, or (ii) in accordance with criteria specified in that law;

“Data Processor” means an individual who, or a legal person, public authority, agency or other body that, processes Personal Data on behalf of a controller, but does not include an employee of a controller who processes such data in the course of his or her employment.

“Data Subject” means a living person who is the subject of Personal Data;

“Personal Data” means information relating to— (a) an identified living individual, or (b) a living individual who can be identified from the data, directly or indirectly, in particular by reference to— (i) an identifier such as a name, an identification number, location data, or an online identifier, or (ii) one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of the individual;

In practice, any data about a living person who can be identified from the data available (or potentially available) will count as personal data. This will include reversibly anonymised (**“pseudonymised”**) data. Where a pseudonym is used, it is often possible to identify the data subject by analysing the underlying or related data.

“Special Categories of Personal Data”, other than in Part 5 of the Irish Data Protection Act 2018, means— (a) personal data revealing— (i) the racial or ethnic origin of the data subject (ii) the political opinions or the religious or philosophical beliefs of the data subject, or (iii) whether the data subject is a member of a trade union (b) genetic data (c) biometric data for the purposes of uniquely identifying an individual (d) data concerning health, or (e) personal data concerning an individual’s sex life or sexual orientation;

“Processing”, of or in relation to Personal Data, means an operation or a set of operations that is performed on Personal Data or on sets of Personal Data, whether or not by automated means, including— (a) the collection, recording, organisation, structuring, or storing of the data, (b) the adaptation or alteration of the data, (c) the retrieval, consultation, or use of the data, (d) the disclosure of the data by their transmission, dissemination, or otherwise making the data available, (e) the alignment or combination of the data, or (f) the restriction, erasure, or destruction of the data;

“Profiling” means any form of automated processing of Personal Data consisting of the use of the data to evaluate certain personal aspects relating to an individual, including to analyse or predict aspects concerning the individual’s performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location, or movements.

4.0 Personal Data

Personal Data relating to students is collected and collated from a range of sources including (but not limited to) clearing houses, the Central Applications Office (CAO), the Postgraduate Applications Centre (PAC), other third level institutions, health and other professional bodies, linked educational providers, and directly from students themselves as a part of the application/registration process. The type of Personal Data (including Special Categories of Personal Data) processed by the University includes but is not limited to:

Student number
PPS No
Name
Date of birth
Country of Birth
Nationality
Addresses (Home, Term, personal and work email)
Parent and/or Next of kin telephone, email contact details and addresses
Image (for Identity card)
Details of previous results
Schools attended
Course application Details
Socio-Economic Category (optional)*
Details of Funding
Fees (including the breakdown of any sums due, owing or paid at any particular time)
Student's occupational data (i.e. previous and current employment record).

Student Course Code
Assessment Results
Degrees/Diplomas awarded
Details of Students attending examinations in sick bay*
Curricula Vitae (Placement students only)
Parents Socio Economic grouping *
Parents Occupation (Optional)*
Parents Employment Status (Optional)*
Religion (Optional)*
Details of Disabilities (Optional)*
Medical Records*
Records of visits to Counselling Service*
Garda Vetting forms *(for specific courses involving contact with minors)
CCTV images
Statement of intention (i.e. for certain programmes, students are asked to outline why they are applying and how the course is suitable to their current training needs/career pathway

*Special Categories of Personal Data is collected/maintained by a limited number of offices and is not shared across the University. These details are disclosed either in line with the legal requirements on the University (e.g. Garda Vetting forms are sent to the Garda Vetting office to facilitate vetting of students) or upon the furnishing by the student of their written consent to a disclosure.

5.0 Purpose for Processing Personal Data

Personal Data (including some Special Categories of Personal Data) is collected and processed by the University for a range of purposes, including the following: -

- To comply with University Policies and Procedures published on the University website.
- To provide an accurate and efficient administrative system that underpins students' full interaction with the University throughout their relationship with the University (both academic and otherwise). The data is made accessible to relevant University staff to facilitate this interaction and it is electronically passed to a range of internal systems to facilitate access to resources and to provide for general University administration as it relates to individual students and the general student body.
- To allow for the collection and sharing of certain additional Personal Data internally within the University to meet the specific administrative needs and requirements of the various services/offices that a student may come into contact with during their association with the University, covering specific limited data across areas such as, for example, Medical Records, Student Counselling, College/School/Discipline offices and Fees Office.
- To facilitate the administration and payment of any fees and charges due, paid, or outstanding to the University;
- To create and maintain the Alumni database so as to record details of graduates of the University, manage Seanad / Údarás na hOllscoile elections and to communicate with graduates with regard to University and Galway University Foundation activities.
- To create and maintain a proportionate CCTV security and monitoring system within the University for the specific purpose of the provision of security, protection of University property, and in furtherance of the general health and safety of students.
- To collate statistical information regarding the University's student population and to allow the University to collate relevant student data and disclose certain data to the organisations and agencies referred to at paragraph 6 below.
- To collect feedback, to market the University's offerings and events to registered students, and to conduct market research.
- To assess student engagement subject to appropriate balances being put in place to protect the right of the individual.
- Publication and acknowledgement of awards: Unless a Student asks the University not to, students and graduates' names and awards are publicly acknowledged at University ceremonies and published in conferring booklets and other University publications;
- To administer the awarding of scholarships and prizes;
- To support grant applications;
- Photographs/video recordings of University events: The University may take photographs and video recordings of University events such as class or year photos, conferring ceremonies. Such images/recordings may include individual or group shots which may be published or included in video/broadcasts on the University's website. The University will seek to give advance notice of this whenever possible by, for example, making announcements, placing visible notices in the relevant area or advertising on University notice boards so that those who do not wish to participate can avoid being recorded by avoiding the specified

area(s). In addition, where the University wishes to process images featuring students for promotional purposes, the consent of the students involved will be sought in advance;

- The University operates in some theatres a lecture capture system which enables lecturers to record video, audio, and presentation material from their lectures as well as audio of questions from students/attendees. The University will seek to give lecture attendees advance notice of any such recording by placing visible notices in the relevant areas and making oral announcements at the start of the lecture;
- To manage insurance/personal accident claims;
- To monitor equal opportunities, to produce University reports using summarised statistics, and to comply with other statutory reporting requirements;
- To provide wellbeing and support services, including disability support services (where a student chooses to access disability services, their consent will be sought before the University processes Personal Data relating to a disability);
- To assess student eligibility for programme of application and administer an offer of a course place.

6.0 Disclosure of Personal Data

Personal Data relating to students can be disclosed by the University to a range of external parties for associated purposes, including but not limited to as follows: -

Organisation	Purpose
CAO	Ratings calculated at NUI Galway for Mature/non-standard applicants
PAC	Offers of places on postgraduate courses
HEA	Student CAO identifiers and RSI number (where available) as part of statutory annual returns. Socio-economic details, details of disabilities (as part of survey). See HEA Student Data Protection Notice available on University website for full details
External Examiners/Examiner Boards	Exam scripts for external review
Students Union	To facilitate student elections
Employers	To facilitate placement of students
Dept. of Social Protection	Verifying individual employment status. Details of Registration to verify eligibility for Jobseeker's Allowances/Back To Education Allowance : (Student Name, Course, Date of Commencement, Date of final Exam, Course Type (Research/Taught), Fulltime/Part Time)
Grant authorities	Details of students' progression from year to year to confirm continuance of funding

External Funders, i.e. any financial sponsor offering support to the student to include any natural persons (e.g. Parents, Guardians, Next of Kin, Sponsors) or legal entities (companies, charities, authorities or other organisations)	Details of any fees and charges due by the student, a student's registration number, date of birth, address details and course details and such other details as may be required to allow for the timely processing of any payment to be made on the student's behalf and to allow for the issuance of a receipt.
NUI Senate and NUI Galway Údarás na hOllscoile election candidates Galway University Foundation	Graduate names and addresses for election purposes. Graduate details for the purpose of communication of Foundation Activities as described in the Galway University Foundation Privacy Verified results relating to requests from students seeking employment.
Employers/Academic Institutions Fulfilment (posting of letters) Companies Software Suppliers Software Service Providers	Data released to printers for the purpose of facilitating mailshots on behalf of the University. Copies of data released for fault resolution/testing purposes. To provide services directly to students on behalf of the University (e.g. Student email, hosted elements of the Virtual learning environment).
Revenue Commissioners	Student name, Course reference, amount of tuition fees, Name of person who paid the fees, PPS number of person who paid the fees for the purpose of providing Tax Relief at Source
Garda Vetting	Details of students who have applied for courses which require Garda vetting.
Public via website	Details of conferring ceremonies including names of students to be conferred and the degree/diploma.
External Advisors	Personal Data may be shared if required with external auditors, pensions administrators, legal advisors, or Insurance Brokers.
Placement Providers or Potential Employers	Verification of qualifications or provision of educational record
Plagiarizing Detection Providers	To ensure academic standards.
Collaborative/linked providers	For the purposes of collaborative programmes.

In addition, should the University be required to make contact with a student's Parent and /or Next of Kin (as referred to in Clause 5 below), that may necessitate the disclosure of limited and relevant Personal Data (excluding any Special Categories of Personal Data) in order to establish the individual's identity and convey the subject matter of the communication.

Where the University uses third parties to process personal data on our behalf (acting as data processors), such processors will be bound by the University GDPR Terms and Conditions available on our Procurement

website/and/or a written contract will be put in place to ensure that any Personal Data shared will be held in accordance with the requirements of data protection law and that such data processors have appropriate security measures in place in relation to student Personal Data.

The University may share student Personal Data between different internal departments for operational reasons where necessary and proportionate for the purposes intended.

7.0 Communication with Students

The University shall need to communicate with students from time to time in relation to administrative, academic, and other matters. The University strives to use the most effective and efficient communication methods when communicating with students. The University provides all registered students with a '@nuigalway.ie' email address to facilitate email communications to/from students and staff. The University utilises a variety of methods/technologies to communicate with students based on any the following data:

- Student's NUI Galway Email address
- Student's Mobile Phone Number
- Student's Home Phone Number
- Student's Term address
- Student's Home/Other address
- Student's Personal Email address

As the University considers students, even if they are not yet 18 years of age, to have the capacity to give consent for the use of their Personal Data, in normal circumstances, the University will not disclose Personal Data to the parents, guardians, or other representatives of a student without the student's consent. The University's preference is to receive written consent from the student where possible by way of email from the student's University email account. Without such consent the University will not release any details regarding students including details of their registration, attendance, fee payments etc. Exceptionally, where urgent communication with a student through direct contact details is not possible or has, following repeated attempts, been unsuccessful, contact may be made via a student's parents and/or next of kin or external funder as appropriate in the circumstances using the details furnished by the student. Relevant exceptional circumstances in this regard may include but not be limited to:-

- accidents/emergencies
- matters of security
- any urgent deadline driven administrative communications, which for the avoidance of doubt may also include communication concerning any due, paid, or outstanding student registration fees or other charges or issues relating to same.

The University will communicate with applicants, students, and graduates using the methods mentioned above.

8.0 General Data Protection Compliance and Legal Basis for using Personal and/or Sensitive Categories of Personal Data

The University is committed to complying with its obligations and respecting the rights of the person under the Data Protection Acts as set out in the University Data Protection Policy available on the University Data Protection website: <https://www.nuigalway.ie/data-protection/>

The University processes student Personal Data for the purposes outlined in this Student Data Usage Policy in pursuit of the University's legitimate interests in managing the University and providing its students with the education and support services required during the course of the student's studies. Whilst the University relies on legitimate interest as the legal basis for processing where this is not overridden by the interests and rights or freedoms of the student concerned, it is not the only lawful ground for processing Personal Data. Where appropriate or legally required, the University will process student Personal Data on an alternative legal basis – for example where: -

- Where the Student has given the University its consent to do so;
- Where the processing of the Personal Data is required to perform a contract with the student;
- Where the processing of the Personal Data is required to fulfil a public task of the University.

9.0 Data Access, Rectification and other Requests

Students, as Data Subjects, have a right to make a data access request of the University and also have the right to seek to correct data and to object to processing. Requests for access to (or requests for corrections to be made to) Personal Data should be directed to: Data Protection Officer, Oifig an Rúnaí, NUI Galway, University Road, Galway or by **email to:** dataprotection@nuigalway.ie

10.0 Record Retention

In keeping with the data protection principles, the University will only store Personal Data for as long as is necessary. For the purposes described here the University will store Personal Data in accordance with the University's Record Retention Schedules.

11.0 Data Transfers outside the EEA

In the course of processing personal data during the course of its business, the University may transfer personal data outside of the European Economic Area on the requirement that NUI Galway relies on legally approved mechanisms to lawfully transfer data across borders, including the Standard Contractual Clauses approved by the European Commission. For example, data may be shared during reporting on NUI Galway rankings or during various applications for grants, research proposals etc.

12.0 Contact Details for further information or complaints

Any queries in relation to this Policy should be directed to: Data Protection Officer, NUI Galway, University Road, Galway or by **email to:** dataprotection@nuigalway.ie

Students also have the right to lodge a complaint with the Data Protection Commission if an employee is unhappy with NUI Galway's processing of personal data. Details of how to lodge a complaint can be found on the Data Protection Commission's [website](#), or by telephoning 1890 252 231.

13.0 Responsibilities

The following roles and responsibilities apply in relation to this Policy:

Name/Title	Roles and Responsibility
ICT Security Committee	Policy approver.
University Management Team (UMT)	Each member of UMT is responsible for ensuring compliance with the Data Protection Acts and this Policy in their respective areas of responsibility. Responsible for reviewing and approving this Policy as recommended by the Secretary or the Data Protection Officer.
Internal Audit	Monitoring and reporting compliance with the Policy
Secretary	Policy Owner. Ensuring that appropriate policies and procedures are in place to support this Policy. Liaising with the UMT as appropriate.
Data Protection Officer	Ensuring that this Policy is reviewed and approved by the ICT Security Committee as appropriate: Revisions to the Policy. Act as a contact point and support for and liaising with the Unit Heads. Organize targeted Policy training and briefing sessions for University staff as required.

<p>Heads of School/Unit</p>	<p>Ensuring compliance with this Policy in their respective areas of responsibility; Ensuring that staff who have responsibility for handling personal data attend Data Protection training; Ensuring Personal Data sharing is conducted in accordance with University guidance.</p>
<p>All Staff or Students or Members engaged in dealing with personal or Special Categories of Personal Data</p>	<p>Acquaint themselves with, and abide by, the rules of this Policy and related policies and procedures. Understand what is meant by ‘personal data’ and ‘special categories of personal data’ and know how to handle such data. Keep student personal data up-to-date. Must complete relevant training and awareness activities provided by the University to support compliance with this Policy. Should take all necessary steps to ensure that no breaches of information security result from their actions. Use a minimum of personal data and only hold it for as long as is strictly necessary.</p>

14.0 Related Documents /Attachments

- QA400 Data Protection Policy
- QA402 Data Classification Policy
- QA401 Data Handling Policy
- QA442 Record Retention Policy
- Data Access Request Procedure
- Data Breach Procedure
- Records of Processing Procedure

In addition, the following legislation must be considered in conjunction with this policy: [Electronic Privacy Regulations 2011 \(SI 336/2011\)](#) (as may be amended).

15.0 Further Information

If you have any queries in relation to this policy, please contact:

The Data Protection Officer
 NUI Galway, Room A129
 The Quadrangle
 NUI Galway
 University Road
 Galway
 Email: dataprotection@nuigalway.ie
 Tel: (091) 492150

16.0 Disclaimer

The University reserves the right to amend or revoke this policy at any time without notice and in any manner in which the University sees fit at the absolute discretion of the University or the President of the University.