



Student Data Protection Policy

Version 4

Approved by the Board of Governors

Last Amendment: September 2023

This policy sets out the obligations of the London School of Science and Technology Ltd. (“LSST”, “the School”) regarding data protection and the rights of students, customers, business contacts and other users (“data subjects”) in respect of their personal data. Staff should refer also to the *Employee Data Protection Policy*.

This policy has been aligned to the following legislation:

- i. *The Data Protection Act (1998)*
- ii. *EU Regulation 2016/679 General Data Protection Regulation (“GDPR”)*



Document Information

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1. Introduction

- 1.1. As a centre for education, much of the School's work is concerned with information and its use. For both educational and administrative purposes, LSST needs to collect and retain personal data about its students to allow it to operate effectively and efficiently, for example to register students, monitor performance, to ensure their health and safety and to monitor equal opportunities.
- 1.2. Personal data is recorded information that relates to a living person that can be associated with that person, either from other information in the possession of the organisation holding the data or by cross referencing to information held by a third party. This includes expressions of opinion about the individual and indication of any intentions of the Data Controller or any other person in regard to the individual. Recorded information can be stored electronically or in a manual filing system.

Examples of Personal Data include:

- Name, home and work addresses
 - Date of Birth
 - National insurance and passport numbers
 - Bank account or credit card details
 - Insurance policy details
 - Employment records
 - Education history
 - Images caught on close circuit television (CCTV)
 - Student record information
 - Student exam results
- 1.3. To comply with the law, such personal data must be collected and used fairly, stored safely and not disclosed to any other person unlawfully. The principles to ensure that personal data is processed properly, and which the School follows to ensure it complies with the legislation, are set out in the General Data Protection Regulations (the GDPR), available on the Information Commissioner's Office website (www.ico.gov.uk).

Under the GDPR, personal data must:

- 1.3.1. be processed fairly and lawfully;
- 1.3.2. be obtained for a stated purpose(s) and not processed for anything other than the stated purpose(s) and for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes;
- 1.3.3. be adequate, relevant and not excessive for the purpose for which it was obtained;



- 1.3.4. be accurate and be kept up to date and, if inaccurate, be rectified or erased without delay;
 - 1.3.5. not be kept for longer than is necessary for the purpose for which it was obtained except where anonymised so that the individual cannot be identified;
 - 1.3.6. be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.
- 1.4. LSST will ensure that these principles are always followed. Through appropriate management and strict application of criteria and controls, LSST will process personal data only as set out in this policy and the LSST Privacy Notice.

2. Your rights

- 2.1. The GDPR provides the following rights for individuals:
- The right to be informed
 - The right of access
 - The right to rectification
 - The right to erasure
 - The right to restrict processing
 - The right to data portability
 - The right to object
 - Rights in relation to automated decision making and profiling.
- 2.2. Further information on how these rights can be found here: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

3. How we use your data

- 3.1. LSST may use and process personal data (including Special Category and criminal offence data) or information regarding you whilst you are a student of LSST and after you have left LSST. Special Category data includes information held by LSST as to your physical or mental health or condition, your racial/ethnic origin, sexual orientation/sex-life, political views, or religion. Criminal offence data includes information on the commission or alleged commission of any offence by you and any proceedings for an offence committed or alleged to have been committed by you (including the outcome or sentence in such proceedings).



- 3.2. We may obtain the following categories of personal data from third-parties:-
- Identifying data e.g. usernames, names, email addresses
 - Tracking data e.g. attendance records taken by contractor lecturers
 - Financial data e.g. payment and student finance data collected by contractor finance staff
 - Medical and health information e.g. sick notes
 - Professional e.g. employer or past academic references, academic record information for SAPE
 - Criminal e.g. enhanced DBS checks for health and social care courses
- 3.3. LSST processes your data, including Special Category Data for the purposes and in the manner set out in its Privacy Notice. The processing of your personal data for the below purposes is required for the performance of the contract between you and LSST, for LSST to meet its regulatory obligations to the OfS and for LSST's legitimate interests including marketing, quality assurance and ensuring safety and security of staff and students. We may also ask for your consent for participation in some marketing activities (e.g. subscribing to marketing information along with our newsletter). In those instances, you have the right to withdraw such consent at any time.
- 3.4. The purposes for which LSST may process your personal data (including Special Category data) include:
- the administration of your enrolment and participation on a course, including the administration of examinations, the issuance of results and certificates in connection with the course, where applicable, the provision to your employer or other sponsor/corporate sponsor information about your attendance and performance on a course and DBS checking where this is required for a course;
 - the provision of LSST services and facilities to you and the protection of your health, safety and welfare whilst at LSST;
 - the issue and operation of LSST's ID card in accordance with the conditions of the Student enrolment terms and conditions;
 - the collection of tuition fees and other LSST fees;
 - equal opportunities monitoring;
 - arrangement and marketing of alumni activities;
 - the provision of references about you;



- the provision of information to any regulator, government body or agency;
 - for safety purposes; and
 - the provision of information to the Higher Education Statistics Agency (HESA)
- 3.5. Your HESA information including linked data is used for broad purposes: public functions, administrative uses, HESA publications, equal opportunity, research, journalism and other processing in which there is a legitimate interest. For more information see the HESA Collection Notice on <http://www.hesa.ac.uk/fpn>.
- 3.6. In some circumstances, it may be necessary for LSST to transfer your personal data to a country outside the European Economic Area (for example, if that is your country of origin). Such a transfer will only be made for the purposes specified above.
- 3.7. You should be aware that countries outside the EEA may not offer data protection law equivalent to that applicable in the United Kingdom and you consent to the transfer of data in these circumstances and for those purposes. Where we make such a transfer to a country that does not provide the same level of data protection as the UK, we will put appropriate measures in place to ensure your information is protected.
- 3.8. In some circumstances your personal data will be processed by a third party on our behalf – e.g. a work placement provider, a student recruitment agency or contractor lecturing or administrative staff. Any such processing will only be done under a GDPR compliant processor contract requiring the third-party to only process the data in accordance with our written instructions.
- 3.9. LSST collects, processes and stores criminal offence data about past convictions, including enhanced DBS check reports from APCS, details of unspent convictions and DBS certificates. This is required for the performance of your contract of enrolment with the School for Health & Social Care courses. This is also required for the legitimate interest of protecting the safety of staff, students and visitors of the School. We do not keep a comprehensive record of criminal offence data.
- 3.10. Your data will be received by the following categories of third-party recipients:
- awarding bodies
 - regulators and funding agencies
 - debt recovery agencies instructed to recover outstanding fees
 - contractor staff
 - partner course and skill providers



- professional advisors e.g. our accountants, legal representatives, quality assurance consultants, our DPO
 - public authorities and law enforcement e.g. HESA, the police, UKVI
- 3.11. LSST may make video and/or audio recordings of face-to-face and online lectures for training and quality monitoring purposes, which may include students' contributions to classroom discussions and expressions of opinion. These recordings may also be used by the School for investigating suspected instances of misconduct or breaches of security.
- 3.12. Further to 3.11., in some circumstances, LSST may use data in the form of photographs or video or audio recordings, of classroom settings as part of general marketing materials, for example, in LSST's annual report, prospectus or course materials. Video and audio recordings and any personal data alongside them will only be used in this way with your explicit consent, which you have the right to withdraw at any time.
- 3.13. If LSST does not process your data fairly, you may lodge a complaint with the Information Commissioners Office (ICO) here: <https://ico.org.uk/concerns/handling/> within 3 months of your last contact concerning the matter with LSST (or such other time limit as the ICO specifies).

4. Confidentiality

- 4.1. All information given to the School staff will be treated with sensitivity, care and discretion. In most circumstances, the information students provide is treated as confidential, but members of staff may discuss aspects of student enquiry or circumstances with their immediate colleagues or in a few cases where relevant, with the School management. If such discussions take place it will usually be for the sole purpose of seeking information, confirming the best course of action or helping the member of staff to reflect on their work with you. Whenever possible, any such discussion between School staff will take place without the identification of the student personally.

5. Staff responsibilities

- 5.1. Staff whose work involves the use of personal data are responsible for ensuring that:
- any personal data which they hold whether electronically or in hard copy is kept securely, including using password protection on computer files;
 - personal data is not disclosed by them, either orally or in writing, to any unauthorised third party;



- the personal data is accurate and kept up to date, held for the appropriate length of time and destroyed confidentially when/ if no longer needed;
- they do not access any personal data which is not necessary for carrying out their work;
- report any data breaches to the DPO within 48 hours where feasible, to enable the School to comply with its obligation to record all data breaches and to report a data breach to the ICO within 72 hours.

5.2. Managers have an additional responsibility to ensure that their staff are aware of the data protection principles and know how to correctly process personal and sensitive personal data as part of their work.

6. Student responsibilities

6.1. It is student's responsibility to inform LSST if their personal details require updating. We will provide an annual opportunity for a student to check their data through the registration process.

6.2. We also collect, at registration, the contact details of a person nominated by student for emergency contact purposes. A student must notify them that we are holding this data which will only be used in an emergency.

7. Students with disabilities or dyslexia

7.1. If a student has declared a disability or dyslexia, the School is legally required under the Equality Act 2010 to make appropriate and reasonable adjustments in order to help such student to participate to the fullest extent possible in the educational opportunities provided by the School. Information about the student's condition and requirements will be limited to that necessary to ensure that appropriate adjustments can be made to help the student gain maximum benefit from their course of study. Any information will normally only be passed to others with the student's agreement.

8. Subject access

8.1. Students are entitled to request a copy of the data we hold about them. Any person who wishes to exercise this right should complete the '*Subject Access Request*' form available from the Student Portal and submit it to the Registry.

8.2. LSST will comply with requests for access to personal data as quickly as possible and will ensure that it is provided within one month of the receipt of the request. LSST can



extend the time to respond by a further two months if the request is complex or it has received a number of requests from the student. LSST will inform the student within 1 month of receiving their request why the extension is necessary.

- 8.3. Requests made for exam results through a Subject Access Request prior to the publication date for the results or that are intended to compel the release of the transcript of certificates themselves (for example where these have been withheld for failure to pay fees), the request will be treated as manifestly unfounded, will be refused and the student will be informed of the reason.

9. Retention of records

- 9.1. Data related to applications for courses will be retained for 6 months from the date of the application if enrolment is not successful. We will retain a full student record for 6 years after a student has left LSST so that we can fulfil our function of providing details of the student's education and references when asked to do so. After six years have elapsed, we will keep enough data about students to be able to confirm their qualifications achieved whilst at LSST.

10. Key contact details

- **London School of Science and Technology Ltd (Data Controller)**

Memo House, 1st Floor, Kendal Avenue,
London,
W3 0XA

+44 (0) 208 7953 863
info@lsst.ac

- **LSST Registry (for students' data Subject Access Requests)**

registry@lsst.ac

- **Bulletproof Cyber Limited (Data Protection Officer)**

Bulletproof HQ, Unit J, Gateway 1000,
Whittle Way, Stevenage, Herts, SG1 2FP

+44 (0) 1438 532 916
consulting@bulletproof.co.uk



Appendix A: Subject Access Request Form

Subject Access Request (Page 1)

Purpose of this form:

It is not mandatory to use this form, but it will help us to give a timely and accurate response to your subject access request as required in the General Data Protection Regulation.

Please complete the table below and return the form by post to London School of Science and Technology, First Floor Memo House, Kendal Avenue, Park Royal, W3 0XA, marked for the attention of Registry: registry@lsst.ac (if you are a student), or HR: hr@lsst.ac (if you are an employee of the School or a contractor).

About you

| | |
|----------------------------------------------------------------------------------------------|--|
| Title | |
| Forename(s) | |
| Surname | |
| Other names we may know you by | |
| Any reference numbers or information that will help us locate the information we hold on you | |

How may we contact you? (Provide at least one way)

| | |
|----------------|--|
| Telephone | |
| Email address | |
| Postal address | |

Proving your identity

We are required to try and verify that you are the person named above. We may ask for one of the following documents – Please tick the ones you could supply:

- A copy of your passport
- A copy of your European driving licence
- A copy of a recognised photo ID
- An original utility bill issued in your name



Subject Access Request (Page 2)

Your request

Please outline the information to which you wish us to provide access:



Subject Access Request (Guidance on Making a Request)

What are your rights?

The Data Protection Act 2018 gives individuals the right to access the personal data that organisations hold about them, subject to certain exemptions (see below). Requests for access to personal data are known as Subject Access Requests (SARs). This guidance explains how to submit a SAR to LSST, how LSST will handle the request and how to complain if dissatisfied.

If a SAR is made to LSST, individuals are entitled to be told whether LSST holds any data about them. If LSST does hold data, the student has the right:

- To be given a description of the data, the purpose for which the data is being processed and the individuals or organisations to whom the data may have been disclosed;
- To be given a copy of the data in an intelligible form, with any unintelligible terms explained;
- To be provided with any information available to LSST about the source of the data; and
- To be given an explanation as to how any automated decisions taken about them have been made if a student specifically requests it. These rights apply to electronic data, and to data in "manual" (i.e. non-electronic) formats, subject to certain limitations in regard to unstructured manual data (see below). Further information about rights under the Data Protection Act is available on the website of the Information Commissioner (www.ico.gov.uk).

What are the exemptions?

The Data Protection Act includes various exemptions which specify the circumstances in which an organisation can refuse to provide access to personal data. The most likely situations in which LSST could lawfully refuse a SAR are where:

- The release of the data would jeopardise the prevention or detection of crime or the apprehension or prosecution of offenders;
- You have requested access to an examination script, other than examiners' comments;
- You have requested data contained in a confidential reference provided by LSST;
- The data is covered by legal professional privilege.

If LSST withholds data as a result of an exemption under the Data Protection Act, LSST will explain why the data has been withheld and cite the relevant exemption, unless doing so would itself disclose information which would be subject to the exemption.

The Data Protection Act allows LSST to refuse to provide data if the effort in doing so would be disproportionate, or if the same or similar data has already been provided to the person requesting it or their associates and a reasonable interval has not elapsed since the previous SAR. In addition, if LSST reasonably requires further information from the person requesting the data in order to locate the requested data and LSST has informed the person requesting the data or their representatives of this, LSST is not required to comply with the SAR until the person requesting the data or their representative supplies LSST with further information.

LSST has to protect the Data Protection rights and other legal rights of other individuals when responding to SARs. Information which does not relate to a student may be 'blacked out' or edited out, particularly if it relates to other individuals. Sometimes LSST may not be able to release data relating to students or their representatives because doing so would also reveal information about other persons who have not consented to their data being released and it would not be reasonable in the circumstances to release the data without their consent. In such cases, the student or their representatives will be informed that data about the student has been withheld and the reasons for doing so.



What happens after the SAR is received?

LSST will send an acknowledgement of the request as soon as possible. This will indicate the deadline by when LSST will send a response. LSST may also ask to provide further information or clarification if LSST requires it to process the request. After LSST receives the SAR, LSST must consider it and respond to it. LSST will respond as soon as possible, and in all cases within 1 calendar month of receipt of the request. If LSST reasonably requires further information to locate the data which has been requested, LSST will inform you as soon as possible, and the 30 day deadline will commence from the date when LSST receives the further information. LSST will normally send the data electronically through a shared OneDrive folder, unless LSST agrees with the student or their representatives that the data can be supplied in a different format.

The data may take the form of photocopies, printouts, transcripts or extracts, or a combination of these, depending on what is most appropriate in the circumstances. Although students do not have the right to inspect original documents, LSST may offer this to the student or their representatives where supplying copies of the data would involve a disproportionate effort.

If LSST holds no data about a student, the student or their representatives will be informed of this. The student or their representatives will also be informed of any cases where data about the student has been withheld and the reasons for this, including the relevant exemptions (see above), unless doing so would itself reveal information which would be subject to an exemption.

Can I appeal?

You can ask for an internal review if LSST refuses your SAR or you are dissatisfied with the handling of the SAR. Appeals should be sent in writing to the CEO, at the following address:

Chief Executive Officer
London School of Science & Technology

1st Floor Memo House

Kendal Ave
Park Royal
London
W3 0XA

Email: ceo@lsst.ac

The CEO will acknowledge the receipt of the appeal within seven working days and will consult with the LSST Data Protection Officer. A response will be sent to you within 28 calendar days of the receipt of the appeal. If it includes a decision that data should be released, the information will be provided as soon as possible. Students or their representatives can also ask the Information Commissioner for an assessment as to whether LSST has processed data in accordance with the Data Protection Act. The Commissioner can be contacted at the following address:

Information Commissioner

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

United Kingdom

Telephone: 0303 123 1113

Fax: 01625 524510



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