



Royal Conservatoire  
*of* Scotland

# Privacy Notice:

## STUDENTS & APPLICANTS

Version 1.7, April 2020

## **PRIVACY NOTICE: STUDENTS & APPLICANTS**

The Royal Conservatoire of Scotland (the RCS) is providing you with this information to comply with data protection law, to ensure that you are fully informed and that we are transparent in how we collect and use your personal data.

Your privacy and trust are very important to us and this Privacy Notice provides essential information about how the RCS handles your personal data and the rights you have in relation to how we use your data. The RCS is committed to complying with all applicable Data Protection legislation, this includes the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

### **WHO WE ARE**

The Royal Conservatoire of Scotland is a Higher Education Institution (HEI) and a performing arts venue based in Scotland. The Royal Conservatoire of Scotland is the 'Controller' and is responsible for looking after the personal data that you provide.

The RCS will process your personal data to provide you with RCS services and to undertake its responsibilities as a HEI in Scotland. For any queries or concerns about how your personal data is being processed you can contact the Data Protection Officer (DPO) at [dpo@rcs.ac.uk](mailto:dpo@rcs.ac.uk)

### **HOW WE LOOK AFTER YOUR DATA**

We will comply with data protection law which means your personal data will be:

1. Processed lawfully, fairly and in a transparent manner
2. Collected for specific, explicit and legitimate purposes
3. Adequate, relevant and limited to what is necessary
4. Accurate and up to date
5. Kept in a form which could identify individuals for no longer than is necessary and securely deleted thereafter
6. Processed in a manner that ensures appropriate security of the personal data

### **HOW WE COLLECT YOUR DATA**

We collect personal information about you in order to create and maintain adequate records in relation to your journey as a student/applicant at the RCS. We will collect and process personal information directly from you, or from an authorised third party such as UCAS.

### **WHY WE PROCESS YOUR DATA**

As a data controller, the Royal Conservatoire of Scotland will process your personal data under the provisions of the General Data Protection Regulation and subsequent legal provisions.

In particular, we will process your data in order to fulfil our public task as a public authority and under the following circumstances:

- I. Where we need the data to fulfil our contract to you (including our responsibilities in providing you with an education)
- II. Where we need to comply with a legal or statutory obligation
- III. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We will only use your personal information for the purposes for which we collected it. For any situation where we will be using your data for any further purpose, we will not do so without your explicit consent. Your consent will always be asked for freely and will involve a positive “opt-in” from you.

### **WHAT DATA DO WE COLLECT ABOUT YOU**

As a student of the RCS, you will have a core “student record”. This will be created by the information provided by you as part of your application, during the registration process and from other information added throughout your student life. The Conservatoire will collect and process both personal data and special category data including but not limited to those listed below.

- Personal and family details (including emergency contact details)
- Social circumstances
- Financial information
- Education and student records
- Disciplinary and attendance records
- Relevant employment details
- Images, for authentication and identification purposes
- Goods or services provided

Processing of special category data will only be undertaken in very limited circumstances and will be to meet a legal obligation or more usually, with your explicit consent in advance. Such data is defined as:

- Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- Genetic data, biometric data for the purpose of uniquely identifying an individual
- Health data
- Sex life or sexual orientation

You are not obliged to provide the special category information listed above; this information is entirely optional.

## HOW YOUR DATA IS BEING USED

The RCS will process your personal data to provide you with RCS services and to undertake its responsibilities as a HEI in Scotland. We collect and use your information for the following purposes:

### Purpose 1 - Academic purposes

Including teaching, learning, assessment and support services throughout your student journey.

We will collect and use your information to:

- Manage all aspects of your application, audition, academic progress and student record
- Manage all interactions with the RCS and RCS processes, including for example: admissions; attendance; appeals; complaints and discipline; assessment and feedback; graduation; health, safety and wellbeing; equality and diversity
- Enable the provision of teaching and learning, on campus and/or remotely
- Record teaching sessions either on campus or delivered remotely and collect content submitted by you via online systems for educational purposes
- Monitor your performance and attendance, supervise, deliver assessments and examinations, confer RCS awards
- Produce student ID cards
- Seek your feedback on our courses
- Communicate with students/applicants (including by electronic means) relating to timetable changes, security incidents, campus events etc.
- Give you access to student support services including IT, library, careers, welfare, health & safety, student union and other RCS services
- Give you access to learning and teaching tools (including online tools) used as part of your course (e.g. email, VLE, Portal)
- Administer any placements, internships, student exchanges we may offer you in conjunction with approved partners
- Ensure rigorous academic standards (for example checking work for originality and ensuring the correct information is present for examination boards)

### Purpose 2 - For administrative and financial management services

To administer fees due and paid for by you and to process payments made for other RCS related services (for example accommodation); to provide eligible students with bursaries, and other discretionary funding.

We collect and use your information to:

- Identify your fee status

- Administer and collect payment of course fees from you, or other payments made to/by the RCS and the RCS Trust, including bursaries/scholarships
- Process payments for additional RCS services like accommodation, printing, library fines and purchases made through the website
- Assess your entitlement to student support payments and make arrangements for the payment of these to you in the event you are successful
- Communicate with you in connection with administrative and financial services

### Purpose 3 - To meet our duty of care to you and other legal obligations

To comply with a legal obligation; protect your vital interests in an emergency; exercise or defend legal claims or comply with court judgements; and protect public health.

We collect and use your information to:

- Meet our legal duty of care to you under health and safety and safeguarding laws
- Protect your vital interests or someone else's e.g. in a medical emergency
- Provide advice and support via academic and student support and wellbeing services such as the Counselling & Disability Service
- Comply with a statutory obligations (e.g. under tax or immigration law)
- Meet our obligations under equality law. Under the UK Equality Act 2010 we collect special category personal data about our students to assist with monitoring equality of opportunity and eliminating unlawful discrimination. We hold this information in strictest confidence and disclose it to bodies with a statutory duty to collect it (i.e. the Scottish Funding Council). You can choose whether you want to provide information for this purpose
- If a student or applicant declares they have a disability, we have a duty to disclose this information on a need-to-know basis to staff to ensure that reasonable adjustments are made, enabling disabled students to meet their full academic potential
- Create appropriate Learning Agreements and personal emergency evacuation plans in order to ensure all adjustments and health considerations are taken into account

### Purpose 4 - To promote the RCS

Processing your personal data for these purposes includes:

- Using your photograph or image which has been produced as part of the core RCS activity of education and performance
- We will take photographs of students at events including Graduation, Open Days, and Awards ceremonies

- Where you are the subject of the photograph or film, we will ask for your consent before using your image in our publicity and promotional material (which will include print and online material - both on our website and on social media)

Where you are not the subject of a photograph or film, but are included in a group setting (e.g. as part of the crowd at graduation) we will make you aware of the filming and photography and give you the chance to object/not be filmed/photographed.

- We will keep copies of promotional material in our archives as a record of RCS activities
- Sending you information on Lifelong Learning and other RCS learning opportunities
- Keeping you informed of additional RCS services and RCS events which may be of interest to you

#### Purpose 5 – Research

Where this is necessary for statutory returns and statistical purposes.

Processing your personal data for these purposes includes:

- Producing management and statistical information to monitor, develop and improve our performance and services to you and inform strategic planning (e.g. for recruitment) through surveys, statistics, audits, research and management information
- Fulfilling statutory reporting requirements i.e. Higher Education Statistics Agency (HESA)
- Surveying graduates to find out if they entered work, further study, or are doing something else

The above lists are not exhaustive but are indicative of the main types of personal information processed by the RCS about you. You are contractually bound to provide your information for the purpose of enrolling on a course at the RCS. It is also important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your time with us.

#### **IF YOU DO NOT PROVIDE US WITH PERSONAL INFORMATION**

If you do not provide us with the personal information we ask for, we may not be able to fulfil all or part of the contract we have with you. For example, we may not be able to process your enrolment, set up your student record or provide access to other RCS services. Also, we may not be able to assess your funding application or provide access to financial support.

You are not obliged to provide the special category information listed above; this information is entirely optional. If you choose to withhold this information this will not

have any negative impact on your enrolment on a course. However, if you choose not to disclose that you have a disability, we will be unable to provide any reasonable adjustments required.

## **PROTECTING YOUR PERSONAL INFORMATION**

We have in place appropriate security measures to prevent your personal information from being accidentally lost, used, accessed, altered or disclosed in an unauthorised way. We limit access to your personal information to those employees and third parties who have a business need to have access. This applies equally to paper and electronic records. We have in place procedures to deal with any security breaches and we will notify you and the regulator of any suspected breach where we are legally required to do so. Further information can be found in our [Data Protection Policy](#). Where data is transferred to any international organisations or countries outside of the EU, it will be done with assurances under the European Commission's adequacy decision regarding the protection provided by the EU-US Privacy Shield and any other relevant adequacy decisions.

## **DATA SHARING**

We may share your personal data with approved third parties. All our third party service providers are required to afford you the same level of personal information data security as the RCS. These third parties will only process your information at our instruction and that processing will be limited to the agreed specified purposes as outlined in the appropriate data sharing agreement. Every year we will send some of the data we hold about you to the Higher Education Statistics Agency (HESA). This data collection includes special category data. Link to the [HESA data collection notice](#)

Further to that, your personal information will be shared with organisations including, but not limited to:

- Statistical personal information will be shared with the Scottish Funding Council (SFC) to allow them to allocate appropriate funding to RCS
- Relevant government agencies where we have a legal obligation to comply with statutory returns in line with the Equality Act 2010
- Public bodies including the Student Awards Agency for Scotland (SAAS) and the Student Loans Company (SLC)
- For students whose course includes a placement element, your data will be shared with external companies who provide those placements to the RCS
- If you have been referred to the RCS via a school, local authority department or support service we will share information with the relevant local authorities and/or school regarding your attendance, progress and achievement as necessary

- Limited personal data will, or may, be shared with approved third parties to enable provision of services for the purposes of teaching, learning and administrative support and IT provisioning. This includes:
  - Microsoft O365 software and all associated products including but not limited to Outlook Email, Teams, OneDrive and other Microsoft 365 systems
  - Originality checking system/ plagiarism software (Turnitin)
  - Virtual Learning Environment (Moodle)
  - Library Management System (Koha)
  - Timetabling system (Asimut)

This list is not exhaustive, but RCS will not share your personal information with any non-approved third parties or use the information provided for any purpose other than specified by agreement or in the appropriate data sharing agreement.

### **HOW LONG WILL WE HOLD YOUR PERSONAL INFORMATION**

We will only retain your personal information for as long as it is necessary to fulfil the purposes for which we collected it, and to fulfil any legal, financial, accounting or reporting requirements. The RCS Record Retention Schedule can be found on the RCS website in our [Freedom of Information Publication Scheme](#)

### **YOUR RIGHTS**

You have a range of rights under data protection legislation. You have the right to:

- **Be informed:** about the collection & use of your data
- **Access:** your personal information (commonly known as a “subject access request”)
- **Rectification:** if information we hold about you is wrong, please ask us to correct it
- **Erasure:** you can ask us to delete information about you
- **Restrict Processing:** you have the right to ask us to restrict or suppress the processing of your information
- **Data portability:** allows you to move, copy or transfer your data easily from one IT environment to another
- **Object** to our processing where we rely on a legitimate interest (or those of a third party) and you object

Please note that you also have rights regarding automated decision making and profiling, however, RCS do not make any use of any automated decision making or profiling tools. If this changes, we will let you know.

## **CONTACT US**

Please get in touch with us if you have any questions about any aspect of this Privacy Notice, and in particular if you would like to exercise any of your rights as outlined above.

We can be contacted at:

### **Data Protection Team**

**A:** Royal Conservatoire of Scotland, 100 Renfrew Street, Glasgow, G2 3DB

**T:** 01412708269

**E:** [dataprotection@rcs.ac.uk](mailto:dataprotection@rcs.ac.uk)

If you have any issues about this notice or the way the RCS has handled your personal information, please contact our Data Protection Officer.

**E:** [dpo@rcs.ac.uk](mailto:dpo@rcs.ac.uk)

## **COMPLAINTS**

If you are dissatisfied with the response from the RCS you have the right to lodge a complaint with the Information Commissioner's Office about our handling of your data:

### **Information Commissioner's Office**

**A:** Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

**E:** [casework@ico.org.uk](mailto:casework@ico.org.uk)

**T:** 0303 123 1113 or write to: