

# **Privacy Notice for Students and Test Takers**

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## VERSION

<i>Release Date</i>	<i>Version No.</i>	<i>Summary of Main Changes</i>	<i>Owner</i>
September 2021	V2.1	Transferred to new document template, no content changes.	NCUK Director of Digital

# 1 INTRODUCTION

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**Important** This Privacy Notice explains how NCUK uses your personal data. We will process your personal data in accordance with this Privacy Notice if you:

- Register with an NCUK Study Centre or NCUK English Language Test Centre to undertake an NCUK qualification and/or to receive NCUK's university placement services.
- Make an enquiry through our website or through one of our Study Centres or Test Centres.
- Attend one of our outreach events and at the event, sign up to receive information from us.

We will process your personal data in accordance with regulations, secondary legislation and associated codes of practice.

Your rights regarding how NCUK use your personal data are explained in Section 8 of this Privacy Notice.

## TERMS USED IN THIS PRIVACY NOTICE

*'Adequacy Decision' (Section 4) means that the relevant country has been recognised as having an appropriate legal framework for protection of personal data.*

*'Clearing' (Section 4) means the process by which universities offer places they have not yet filled to applicants who do not hold an offer.*

*'EEA' (Section 4) means the countries of the European Economic Area from time to time.*

*'NCUK Universities' means the universities NCUK works with to provide placements, a full list of which can be viewed on the NCUK website at <https://www.ncuk.ac.uk/universities/>*

*'Study Centre' means one of our approved centres for studying for an NCUK qualification.*

*'Test Centre' means one of our accredited centres for taking the NCUK English Language Test and/or studying the NCUK English Language Test Preparation Course.*

*'UCAS Portal' means the centralised admission process for UK universities operated by the Universities Centralised Admissions Service at [www.ucas.com](http://www.ucas.com)*

## 2 WHAT IS PERSONAL DATA?

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Personal data is any information about an individual from which that individual can be identified. Your name, address, phone number and bank account number are examples of personal data. It does not include data where the identity has been removed (anonymised data).

## 3 THE DATA WE COLLECT AND WHY WE COLLECT IT

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### ENQUIRIES

When you request information from us, attend one of our information events or make enquiries with us or an NCUK Study Centre or Test Centre about any NCUK service or qualification, we may use and store the personal data you provide in order to fulfil your request or respond to your enquiry.

### STUDY, UNIVERSITY PROGRESSION AND ENGLISH LANGUAGE TESTS

When you register for one of our qualifications through an NCUK Study Centre or Test Centre, the Study Centre or Test Centre will collect on our behalf and supply to us the following categories of personal data about you: name, title, addresses, telephone numbers, personal email addresses, date of birth, gender, nationality and country of residence, passport details (including photo), visa information and immigration status (if applicable), education history (and employment history if you have been outside of education for a period), evidence of English language competence, preferred study programme and subject choices, and a record of the decisions made in respect of your application. We may also obtain, supplement and verify your personal information via the UCAS Portal. For the NCUK English Language Test, we may also process photographs and other biometric characteristics.

NCUK will also collect information about your university applications and academic performance. In some cases, additional personal data will be collected to support requests for access arrangements and/or special consideration. We may need to collect additional information about health conditions to progress these requests, in which case your specific consent will be obtained to process this type of information. You can choose to withdraw that consent by contacting us using the details in Section 10.

We collect and use the above categories of personal data to provide you with the information, products and services necessary to facilitate your NCUK qualification and/or your use of NCUK's university placement services. For example, we use your personal data to record your academic progress, process your university applications and issue your results. For the NCUK English Language Test, the personal data collected will also support fraud detection reviews, to assure the security and validity of that assessment.

If you apply for an Enquiry about Results or an Appeal through your Study Centre, we may collect additional personal data relating to you including:

- Bank account details
- Billing address
- Credit card or other payment information to process your payments

### ACADEMIC EXPERIENCE AND PROGRESSION DATA

NCUK will also collect information about your academic experience and university progression so that we can track your academic performance (average yearly result and final degree classification) and publish our yearly roll of honour. The NCUK University where you study will be asked to supply us with your average result each year and at the end of your course, your degree classification. We use this personal data in order to monitor the quality and provision of our products and services. An

anonymised version of this data may be used to monitor the success of our programmes. You have the right to object to your NCUK University supplying these details to us.

We may also take photographs of you and/or obtain quotes/statements from you relating to your academic experience. We use this information to market our services to prospective students as well as for our own internal and external information uses, such as reviewing how we deliver our services, to compliment our website and to put together internal documentation/reports.

Each year NCUK selects examples of student coursework and examinations to support teacher training in NCUK Study Centres. The examples of work are stored on the password protected area of the NCUK website. Where possible, this work will be anonymised. However, it is not possible for NCUK to anonymise audio [and video] recordings of presentations and speaking examinations. NCUK relies on the lawful basis of legitimate interest to process your personal data contained with such recordings. However, if you wish to object to NCUK using any such recordings of you then please contact us.

## MARKETING

We may use your personal data to inform you of new or existing services that we believe may be of interest to you or to send surveys or questionnaires so that we can learn more about your needs and interests. We may also use this data to contact you about opportunities of becoming an NCUK Ambassador and joining our Alumni network.

If you would prefer that we do not send such communications to you, please follow the opt-out (unsubscribe) links on any marketing message or get in touch with us using the contact details in Section 10.

## 4 HOW WE SHARE YOUR PERSONAL DATA

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NCUK may share your personal data as follows:

- With the NCUK Universities in order to facilitate your placement (including through Clearing) and to obtain information about your academic performance and results.
- With Study Centres or Test Centres in order to process your enquiry or application to our programmes, which may involve transferring your personal data to countries outside the EEA, subject to appropriate contractual protections agreed with the recipients, or where there is an Adequacy Decision in place.
- With UK government bodies where we have a legal obligation to do so.
- With your parent or guardian in an emergency, where your health or welfare requires it.
- With independent quality assessors for the purposes of assuring the quality of our services.
- With our corporate service providers as part of the business services they provide to us, subject to strict obligations of confidentiality.

NCUK will only share your personal data with third parties where the law allows us to. NCUK will never sell your personal data or share your banking/ credit card details other than to process your payment.

All our corporate service providers and other data processors we engage with are required to take appropriate security measures to protect your personal data in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 5 LEGAL BASIS FOR PROCESSING AND SHARING

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The legal basis for processing and sharing your personal data is as follows:

Study and placement data – Article 6(1)(b) of UK GDPR – processing is necessary for the performance of a contract or steps in preparation thereto.

Collection and processing of immigration status and health-related data- Article 6(1)(c) of UK GDPR – compliance with legal obligations to which we are subject, including UK immigration and equality laws.

Academic and progression data - Article 6(1)(f) of UK GDPR – for the purposes of our legitimate interests in pursuing our mission to make available educational opportunities in the UK for overseas students (and test candidates) and assuring the quality of the student (and test candidate) experience.

Personal data contained within photographs taken of you whilst you are studying on an NCUK programme or quotes/statements that are attributable to you relating to NCUK. This personal data is processed with your consent which may be revoked at any time by contacting us.

Personal data contained within audio [and video] recordings taken during presentations or speaking examinations. This personal data is collected and processed for the purposes of our legitimate interests in supporting teacher training in NCUK Study Centres.

Information shared with parents or guardian in an emergency – Article 6(1)(d) – where necessary to protect vital interests.

## 6 SECURITY

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We have put in place appropriate security measures to prevent your personal data from being accidentally lost, altered, disclosed, used or accessed in an unauthorised way. In addition, we limit access to your personal information to those employees, service providers, business partners, agents and other third parties who have a legitimate need to know. They will only process your personal information on our instructions or as otherwise agreed and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

## 7 RETENTION

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NCUK will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements. We will store for an indefinite period such data as is reasonably necessary to respond to requests from you, employers or academic institutions for verification or copy transcripts and certificates of your qualifications gained through our programmes.

## 8 IF YOU FAIL TO PROVIDE PERSONAL DATA

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If you fail to provide the personal data that we need to collect either by law or to provide your NCUK qualification and/or university placement services, we may have to cancel your registration with us and will not be able to supply you with the requested services.

## 9 YOUR RIGHTS

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Under certain circumstances, by law you have the right to:

- Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing (see below).
- Object to processing of your personal data where NCUK rely on a legitimate interest (or those of a third party) to do so and there is something about your particular situation which makes you want to object. You also have the right to object at any time to us or our partners using your personal information for direct marketing purposes.
- Request the restriction of processing of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal data to another party.

If you want to review, verify, correct or request erasure of your personal data, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact us using the contact details below.

## NO FEE IS USUALLY REQUIRED

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in certain circumstances.

## WHAT WE MAY NEED FROM YOU

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Where you object to processing your personal data due to our legitimate interest (or those of a third party), you should outline your reasons for lodging the objection.

## 10 QUESTIONS?

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If you have any questions about this Privacy Notice, including any requests to exercise your legal rights, please contact NCUK's Data Protection Officer using the details set out below:

By email:	<a href="mailto:enquiries@ncuk.ac.uk">enquiries@ncuk.ac.uk</a>
By post:	FAO: Data Protection Officer NCUK 76 King Street Manchester M2 4NH

## 11 CHANGES TO THIS PRIVACY NOTICE

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We reserve the right to update this Privacy Notice at any time, the most recent version can be viewed on our website at <https://www.ncuk.ac.uk/ncuk-policies/>. We may also notify you in other ways from time to time about the processing of your personal information.



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THE UNIVERSITY CONSORTIUM