

Policy – Data Protection

Owned by: President

Date passed: 06/02/17

Body passing: Trustees

Review required: Annually

1 Policy statement

- 1.1 Everyone has rights with regard to how their personal information is handled. During the course of our activities we will collect, store and process personal information about our staff, and we recognise the need to treat it in an appropriate and lawful manner.
- 1.2 The types of information that we may be required to handle include details of current, past and prospective employees, suppliers, customers, students and others that we communicate with. The information, which may be held on paper or on a computer or other media, is subject to certain legal safeguards specified in the Data Protection Act 1998 (the Act) and other regulations. The Act imposes restrictions on how we may use that information.
- 1.3 This policy does not form part of any employee's contract of employment and it may be amended at any time. Any breach of this policy will be taken seriously and may result in disciplinary action.

2 Status of the policy

- 2.1 It sets out our rules on data protection and the legal conditions that must be satisfied in relation to the obtaining, handling, processing, storage, transportation and destruction of personal information.
- 2.2 The Data Protection Compliance Manager is responsible for ensuring compliance with the Act and with this policy. That post is held by Andrew Hodgson, General Manager, 01962 82(7429), andrew.hodgson@winchester.ac.uk. Any questions or concerns about the operation of this policy should be referred in the first instance to the Data Protection Compliance Manager.
- 2.3 If you consider that the policy has not been followed in respect of personal data about yourself or others you should raise the matter with the Data Protection Compliance Manager.

3 Definition of data protection terms

- 3.1 **"Data"** is information which is stored electronically, on a computer, or in certain paper-based filing systems.

- 3.2 **“Data subjects”** for the purpose of this policy include all living individuals about whom we hold personal data. A data subject need not be a UK national or resident. All data subjects have legal rights in relation to their personal data.
- 3.3 **“Personal data”** means data relating to a living individual who can be identified from that data (or from that data and other information in our possession). Personal data can be factual (such as a name, address or date of birth) or it can be an opinion (such as a performance appraisal).
- 3.4 **“Data controllers”** are the people who or organisations which determine the purposes for which, and the manner in which, any personal data is processed. They have a responsibility to establish practices and policies in line with the Act. We are the data controller of all personal data used in our business.
- 3.5 **“Data users”** include employees whose work involves using personal data. Data users have a duty to protect the information they handle by following our data protection and security policies at all times.
- 3.6 **“Data processors”** include any person who processes personal data on behalf of a data controller. Employees of data controllers are excluded from this definition but it could include suppliers which handle personal data on our behalf.
- 3.7 **“Processing”** is any activity that involves use of the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transferring personal data to third parties.
- 3.8 **“Sensitive personal data”** includes information about a person’s racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition or sexual life, or about the commission of, or proceedings for, any offence committed or alleged to have been committed by that person, the disposal of such proceedings or the sentence of any court in such proceedings. Sensitive personal data can only be processed under strict conditions, and will usually require the express consent of the person concerned.

4 **Data protection principles**

- 4.1 Anyone processing personal data must comply with the eight enforceable principles of good practice. These provide that personal data must be:
- 4.1.1 Processed fairly and lawfully.
 - 4.1.2 Processed for limited purposes and in an appropriate way.
 - 4.1.3 Adequate, relevant and not excessive for the purpose.
 - 4.1.4 Accurate.
 - 4.1.5 Not kept longer than necessary for the purpose.

- 4.1.6 Processed in line with data subjects' rights.
- 4.1.7 Secure.
- 4.1.8 Not transferred to people or organisations situated in countries without adequate protection.

5 Fair and lawful processing

- 5.1 The Act is intended not to prevent the processing of personal data, but to ensure that it is done fairly and without adversely affecting the rights of the data subject. The data subject must be told who the data controller is (in this case Winchester Student Union), who the data controller's representative is (in this case the Data Protection Compliance Manager), the purpose for which the data is to be processed by us, and the identities of anyone to whom the data may be disclosed or transferred.
- 5.2 For personal data to be processed lawfully, certain conditions have to be met. These may include, among other things, requirements that the data subject has consented to the processing, or that the processing is necessary for the legitimate interest of the data controller or the party to whom the data is disclosed. When sensitive personal data is being processed, more than one condition must be met. In most cases the data subject's explicit consent to the processing of such data will be required.

6 Processing for limited purposes

Personal data may only be processed for the specific purposes notified to the data subject when the data was first collected or for any other purposes specifically permitted by the Act. This means that personal data must not be collected for one purpose and then used for another. If it becomes necessary to change the purpose for which the data is processed, the data subject must be informed of the new purpose before any processing occurs.

7 Adequate, relevant and non-excessive processing

Personal data should only be collected to the extent that it is required for the specific purpose notified to the data subject. Any data which is not necessary for that purpose should not be collected in the first place.

8 Accurate data

Personal data must be accurate and kept up to date. Information which is incorrect or misleading is not accurate and steps should therefore be taken to check the accuracy of any personal data at the point of collection and at regular intervals afterwards. Inaccurate or out-of-date data should be destroyed.

9 Timely processing

Personal data should not be kept longer than is necessary for the purpose. This means that data should be destroyed or erased from our systems when it is no longer required. For guidance on how long certain data is likely to be kept before being destroyed, contact the Data Protection Compliance Manager.

10 Processing in line with data subject's rights

10.1 Data must be processed in line with data subjects' rights. Data subjects have a right to:

10.1.1 Request access to any data held about them by a data controller.

10.1.2 Prevent the processing of their data for direct-marketing purposes.

10.1.3 Ask to have inaccurate data amended.

10.1.4 Prevent processing that is likely to cause damage or distress to themselves or anyone else.

11 Data security

11.1 We must ensure that appropriate security measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data. Data subjects may apply to the courts for compensation if they have suffered damage from such a loss.

11.2 The Act requires us to put in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction. Personal data may only be transferred to a third-party data processor if he agrees to comply with those procedures and policies, or if he puts in place adequate measures himself.

11.3 Maintaining data security means guaranteeing the confidentiality, integrity and availability of the personal data, defined as follows:

11.3.1 **"Confidentiality"** means that only people who are authorised to use the data can access it.

11.3.2 **"Integrity"** means that personal data should be accurate and suitable for the purpose for which it is processed.

11.3.3 **"Availability"** means that authorised users should be able to access the data if they need it for authorised purposes. Personal data should therefore be stored on our central computer system instead of individual PCs.

11.4 Security procedures include:

- 11.4.1 **“Entry controls.”** Any stranger seen in entry-controlled areas should be reported.
- 11.4.2 **“Secure lockable desks and cupboards.”** Desks and cupboards should be kept locked if they hold confidential information of any kind. (Personal information is always considered confidential.)
- 11.4.3 **“Methods of disposal.”** Paper documents should be shredded or disposed of via the confidential waste receptacle. Floppy disks, CD-ROMs and flash drives should be physically destroyed or fully reformatted when they are no longer required.
- 11.4.4 **“Equipment.”** Data users should ensure that individual monitors do not show confidential information to passers-by and that they log off from or lock securely, their PC when it is left unattended.

12 Dealing with subject access requests

A formal request from a data subject for information that we hold about them must be made in writing. A fee is payable by the data subject for provision of this information. Any Union officer or staff member who receives a written request should forward it to the Data Protection Compliance Manager immediately.

13 Providing information over the telephone

- 13.1 Any member of staff dealing with telephone enquiries should be careful about disclosing any personal information held by us. In particular they should:
 - 13.1.1 Check the caller’s identity to make sure that information is only given to a person who is entitled to it.
 - 13.1.2 Suggest that the caller put their request in writing if they are not sure about the caller’s identity and where their identity cannot be checked.
 - 13.1.3 Refer to their line manager **or** the Data Protection Compliance Manager for assistance in difficult situations. No-one should be bullied into disclosing personal information.

14 Monitoring and review of the policy

- 14.1 This policy is reviewed **annually** by Senior Management **in consultation with the Union’s trustee Board. Recommendations for any amendments are reported to the chair of Trustees.**
- 14.2 We will continue to review the effectiveness of this policy to ensure it is achieving its stated objectives.

APPENDIX – PRIVACY STATEMENT:

Located on our website: <https://www.winchesterstudents.co.uk/privacy-policy>

1. Introduction

Winchester Student Union (“we”, “our” or “us”) promises to respect any personal data you share with us, or that we get from other organisations, and keep it safe and in line with data protection laws and best practice. We aim to be clear when we collect your data and not do anything you wouldn’t reasonably expect. Developing a better understanding of our members through your personal data allows us deliver better services and communicate with you effectively.

2. Where we collect information about you from

We collect information in the following ways;

2.a When you become a member of the University of Winchester

As a student at the University of Winchester you automatically become a member of Winchester Student Union unless you opt out, either during enrolment or any other time. The University of Winchester keeps up-to-date information about you as a student and share this information with us, subject to a formal data sharing agreement. This data is shared with us for the express purpose of promoting your interests as a student. When the University of Winchester gives us this data we become responsible for it and use this as our central record of your membership. When you leave the University of Winchester this data is deleted by them and us in line with an agreed retention schedule.

2.b When you give it to us directly

You may give us information in order to sign up to a student group, an election, one of our events, undertake research activities, use our Information & Advice Service, purchase our products, apply for positions or communicate with us. When you give us this information we take responsibility for looking after it and we will, if required, cross reference this data against our central record of your membership.

2.c When you give it to us indirectly

Your information may be shared with us by independent organisations, the University of Winchester, event partners. These independent third parties will only do so when you have indicated that you have given consent to share this data with us. You should check their Privacy Policy when you provide your information to understand fully how they will process your data.

2.d When you give permission to other organisations to share it

We may combine information you provide to us with information available from external sources in order to gain a better understanding of our members to improve our communication methods, products, services or respond to complaints. The information we get from other organisations may depend on your privacy settings or the responses you give, so you should regularly check them. This information comes from the following sources:

2.e Third party organisations

You may have provided permission for a company or other organisation to share your data with third parties such as Winchester Student Union. This could be when you buy a product, register for an online competition or sign up with a service provider.

2.f Social Media

Depending on your settings or the privacy policies for social media and messaging services like Facebook, WhatsApp, Twitter, Snapchat and Instagram, you might give us permission to access information from those accounts or services.

2.g Information available publicly

This may include information found in places such as Companies House, the electoral roll, and information that has been published in articles/ newspapers.

2.h When we collect it as you use our websites

Like most websites, we use “cookies” to help us make our site work and make the way you use it better. Cookies mean that a website will remember you. They’re small text files that sites transfer to your computer (or phone or tablet). They make interacting with a website faster and easier – for example by automatically filling your name and address in text fields or remembering items in shopping baskets. There are more details in our [cookie statement](#). In addition, the type of device you’re using to access our website and the settings on that device may provide us with information about your device, including what type of device it is, what specific device you have and what operating system you’re using. Your device manufacturer or operating system provider will have more details about what information your device makes available to us.

2.i When you buy a product from us

To place an order with us online registration will be required if you don’t already have an account. At the point of registration and at the point of sale, we request certain information including your name, delivery address, email address and phone number. This information is required to enable us to process your order and notify you of its progress. Once an order has been placed, we may contact you by email to

confirm your order details and again once your order has been accepted and despatched. Should we need to contact you for any reason regarding your order, we will use the email address or the telephone number where provided. If you purchase some products in person, for example event tickets, we will ask for your student ID number. This enables us to verify your student status, associate your purchase with your student account, maintain maximum per person sales and process entry and refunds effectively.

2.j When other people give us information

Information may be given to us by other students, staff or members of the public in the form of nominations (eg. for elections, awards and prizes), complaints and communications.

3. The personal data we collect and how we use it

The type and quantity of information we collect and how we use it depends on why you are providing it, or why we are receiving it.

Membership

As part of your enrolment with the University of Winchester they provide us with a set of key information, subject to a formal data share agreement. When you use our services or participate in one of our activities we use this information to verify your student status and provide the best possible standards of administration and communication. The information provided to Winchester Student Union may include;

- Student ID / number
- Forename
- Surname
- Date of Birth
- Gender
- University of Winchester Email address
- Fee status (UK/EU/International)
- Programme Code
- Study Type (UG/PG/FE)
- Programme Level
- Start date
- End date

In addition, when you register on our website, signup to a mailing list, attend an event or activity, join a student group or use one of our services we may ask for additional information such as:

- Your interests
- Demographics
- Your bank details to facilitate payments
- Information relating to your health or next of kin
- Any disabilities so that we can provide assistance where needed
- Personal information on accident, incident or first aid forms

We use your data to

- Provide you with the services, products or information you asked for
- Ensure we know how you prefer to be contacted
- Administer your membership
- Keep a record of your relationship with us
- Understand how we can improve our services, products or information
- Build profiles of members and target communications relevant to you

The information contained in our records may also be used for anonymous reporting, both internally and to external bodies, in line with our charitable purpose to represent the generality of interests of our student members.

In certain specific circumstances linked also to the purpose of the data collected, and where there is also an additional 'lawful basis' for this further processing, the Union may process a specific amount of sensitive personal data. This is done in line with ICO guidance, and may include information about an individuals' health for example in excursions, society participation or physical activities such as sport.

Sometimes the Union will have a requirement to share this information with groups of recipients. They include sharing details with the University of Winchester.

4. How we keep your data safe and who has access

Personal data collected and processed by us may be shared with Winchester Student Union employees, officers and volunteers in the process of their work. Under strictly controlled conditions the following groups where necessary:

- The University of Winchester
- Contractors
- Advisors
- Agents
- Service provider partners

When we allow access to your information, we will always have complete control of what they see, what they are allowed to do with it and how long they can see it. We do not sell or share your personal information for other organisations to use.

We undertake regular reviews of who has access to information that we hold to ensure that your information is only accessible by appropriately trained staff, volunteers and contractors.

Some of our suppliers may run their operations outside the European Economic Area (EEA). We will always ensure they provide an equal or greater level of protection in accordance with UK data protection law. By submitting your personal information to any of these systems, you agree to this transfer, storing or processing at a location outside the EEA.

We may need to disclose your details if required by law to the police, regulatory bodies or legal advisors. We will only ever share your data in other circumstances if we have your explicit and informed consent.

5. Profiling, Marketing & Communications Preferences

Profiling allows us to target our resources effectively and contact you about relevant services. We do this because it allows us to understand the background of our members and helps us to deliver appropriate services and information to members who need it. When doing this we may analyse geographic, demographic and other information relating to you in order to better understand your interests and preferences in order to contact you with the most relevant communications. Your data would only ever be analysed or profiled through encrypted and protected data processes, which only ever identifies broad statistics. In doing this, we may use additional information from third party sources when it is available.

5.a Membership Communications

As a member we believe you have a legitimate interest in hearing from us about the products and services we offer, what we're doing to represent you and opportunities that might be of interest to you. You may opt out of these communications during registration on our website, at any stage by clicking the unsubscribe link contained within the email or by visiting your account/profile on our website.

5.b Direct Marketing

As a charity we need to fundraise to provide the services we offer to our members we do this in part through our trading activities including retail outlets, media sales, diners, bars/nightclubs and events activities. We send marketing materials about our trading activities and on behalf of our media sales operation to our members where you have told us that we can. We do not sell or share personal details to third parties for the purposes of marketing. You may opt out of these communications during registration on our website, at any stage by clicking the unsubscribe link contained within the email or by visiting your account/profile on our website.

5.c Controlling what you want to hear about

We make it easy for you to tell us how and what you want us to communicate to you during registration on our website. You can change these settings at any time through your account/profile on our website.

6. Keeping your information up to date

The University of Winchester keep your details up-to-date through scheduled information updates.

Our website also provides options for you to edit your information, and/or let us know when information is inaccurate or you would like it changing. The best way to keep your information up-to-date is to keep your University of Winchester records accurate.

It is your responsibility to keep your information up-to-date relating to any employment you have with us, you can do this through your line manager. There are specific policies related to employment which can be accessed through your line manager.

If you give us data relating to any of our services or activities, for example your email address and phone number as a committee member of a sport, society, STAR or other volunteer position, please contact the su_admin@winchester.ac.uk to update your information.

7. Understanding the detail of our data security measures

When we process your data we will have already carefully assessed the lawful justification for doing so, the parameters in which the data is processed, the length of time the data is held for, the secure storage of your data and undertaken impact assessments to ensure your rights are delivered.

Winchester Student Union operates a Data Protection Policy. All employees and volunteers handling data are required to undertake data protection training and third parties handling data are required to provide a contract which meets the requirements of the Information Commissioner's Office.

Winchester Student Union uses the University of Winchester Information systems to store and process all information. The University of Winchester keeps these systems safe and secure in line with industry best practice, you can access their policies [here](#). Winchester Student Union and the University of Winchester have a legal data sharing agreement which covers all information shared.

Winchester Student Union uses [One Voice Digital](#) as our website and membership system provider. One Voice Digital keeps these systems safe and secure in line with industry best practice. Winchester Student Union and One Voice Digital have a legal data sharing agreement which covers all information shared.

Winchester Student Union uses [Online Surveys](#) and [Typeform](#) to collect and process information through online forms. The type of data these forms collect will vary depending on the purpose however the data is kept securely on the University of Winchester servers and we have a legal data sharing agreement which covers this system.

Winchester Student Union does not store any sensitive card data on our systems following online transactions. We use payment processor contracted through our website provider [One Voice Digital](#) to handle these matters. Payments taken in store are handled through [worldpay](#).

8. Your rights

The [General Data Protection Regulations](#) sets out the following rights for individuals

8.a The right to be informed

This Student Data Privacy Policy sets out what data we collect and how we process it. At the point of collection, we will direct you to this document and inform you of why we are collecting data.

8.b The right of access

You have a right to ask for a copy of the information we hold about you, you can do this by contacting us on SU_Admin@winchester.ac.uk . If you want to access your information the [Information Commissioner's Office](#) can provide you with guidance on your rights and on making this request. Subject to the complexity of your request Winchester Student Union has 1 month to respond and will not normally levy any charges. As a minimum you should contact us with your name, address, telephone number, any information we might know you by (previous names, student number etc.) and a detailed description of the information you would like (including the topic it is relating to including systems, times and dates). If we request clarification from you to identify the data you are requesting any delays in responding may impact on the response period, and in complex cases we have the right to extend this by a further 2 months, however we will always do our best to respond as soon as possible.

We may also request further information, including identification and verification to ensure you are who you say you are before we give you your information.

Where requests are manifestly unfounded or excessive we will either charge a fee taking into account the administrative costs or refuse to respond.

8.c The right to rectification

If your data is inaccurate or incomplete and you have not been able to rectify it with the area of Winchester Student Union responsible, or you don't know who to contact to rectify this information please contact SU_Admin@winchester.ac.uk . In most cases we will rectify your data within 1 month or respond to justify why this cannot be done.

8.d The right to erasure

If you would like us to erase all data we hold on you then you must Opt out of Winchester Student Union by contacting the University of Winchester who will remove your data from our central membership record. If you believe we hold other data you can request this is erased by contacting us on SU_Admin@winchester.ac.uk. This right of erasure does not cover data which is required to be kept by law, this may include for example accident reports, HR records, finance records.

8.e The right to restrict processing

You have a right to ask us to stop processing your personal data, and if it's not necessary for the purpose you provided it to us for (e.g. processing your membership or registering you for an event) we will do so. If you want to opt-out of all communications and all data processing you will be required to opting out of Winchester Student Union, this will limit your access to activities and services. You can do this by writing to the University of Winchester who will remove your data from our systems. Contact us on SU_Admin@winchester.ac.uk if you have any concerns.

8.f The right to data portability

We work with our suppliers to ensure any data you request from us will be in an easily readable electronic format.

8.g The right to object

If you would like to object about any of our data processing please contact us on SU_Admin@winchester.ac.uk

8.h Rights in relation to automated decision making and profiling

We only use profiling as detailed above in section 5, we do not use profiling to make any automated decisions.

9. Our data protection officer?

The Winchester Student Union Data Protection Officer is currently Andrew Hodgson and can be contacted on SU_Admin@winchester.ac.uk

10. Communicating changes to this statement

We may change this Privacy Statement from time to time in line with new or updated policies, procedures or legislation. If we make any significant changes in the way we treat your personal information we will make this clear on our website or by contacting you directly.

If you have any questions, comments or suggestions, please let us know by contacting: SU_Admin@winchester.ac.uk

