

# IMPERIAL COLLEGE UNION PRIVACY NOTICE

## What is the purpose of this document?

Imperial College Union (the “**Union**” or “**ICU**”) is committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect and use personal information about you during and after your relationship with us, in accordance with the applicable data protection legislation (the Data Protection Act 1998 until 24 May 2018 and the General Data Protection Regulations (the “**GDPR**”) from 25 May 2018 and the College’s *Data Protection Policy*.

The Union is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to current and former students of Imperial College London (the “**College**” or “**Imperial**”), staff of Imperial College London, students from partner institutions that are eligible for associate membership and members of the public. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

## Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

## The kind of information we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). There are "special categories" of more sensitive personal data which require a higher level of protection.

We may collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, College username, College ID number, College email addresses and personal email addresses, Country of Origin.
- Course data such as Faculty, program, campus, start and end dates, Attendance mode, Attendance type, enrolment status.
- Date of birth.
- Gender.
- Next of kin and emergency contact information.
- National Insurance number.
- Bank account details, payroll records and tax status information.
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process).

- Employment records (including job titles, work history, working hours, training records and professional memberships).
- Compensation history.
- Performance information.
- Disciplinary and grievance information.
- Driving licence details.
- Membership of clubs, societies and projects and involvement in other union activities such as volunteering or Imperial Award.
- CCTV footage and other information obtained through electronic means such as swipe card records.
- Information about your use of our information and communications systems such as IP address information. In some circumstances, cookies may be used to track website or system usage.
- Photographs.

We may also collect, store, and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation, and political opinions.
- Information about your health, including any medical condition, health, and sickness records.
- Information about criminal convictions and offences.
- Information relating to Personal, Housing, Financial or Academic issues as part of a consultation with the Advice centre.

## How is your personal information collected?

We collect most of the personal information about you through data feeds from College systems, via online forms or email, in person at events, in the course of providing services to you or after we have provided services to you (e.g. feedback responses).

## How we will use information about you and the legal basis for processing your data under the GDPR

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the contract, we have entered into with you or in order to take steps at your request prior to the entry into a contract.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us.
4. 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.
5. Where you have consented to the processing.

### Situations in which we will use your personal information

We need all the categories of information in the list above (see The kind of information we hold about you) primarily to allow us to perform our contract with you and to enable us to comply with legal obligations. In some cases we may use your personal information to pursue legitimate interests of our own, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below.

- To provide you with information and to process memberships, event tickets, online shop orders, orders via our EPOS system and online ordering platform in our venues, and other services provided by the Union.
- To contact you in relation to your membership, online shop order or other administrative functions, including for the purposes of feedback.
- To send current students updates and information about ICU services and activities.
- To ensure we meet any and all legal obligations with regards to the service we provide to you.
- To notify you [or your guarantor] about changes to our service.
- Administering the contract we have entered into with you.
- Checking you are legally entitled to work in the UK.

- Assessing qualifications for a particular job or task, including decisions about promotions.
- Gathering evidence for possible grievance or disciplinary hearings.
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work.
- Education, training and development requirements.
- Complying with health and safety obligations.
- Complying with licencing obligations.
- To prevent fraud.
- To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- To conduct data analytics studies to review and better understand our members and customers.
- To ensure the information we hold about you is up to date and accurate.
- To ensure that content from our site is presented in the most effective manner for you and your computer or mobile device.
- To provide you with relevant news and special offers by email, phone or post where you have consented to receive this information.
- Equal opportunities monitoring.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

## **If you fail to provide personal information**

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you or we may be prevented from complying with our legal obligations such as Payment Card Information Compliance or licensing laws.

## **Change of purpose**

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal

information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## How we use particularly sensitive personal information

**"Special categories"** of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where it is necessary in the context of employment law, or laws relating to social security and social protection.
3. Where the processing is necessary to protect your vital interests (or those of another person) where you are incapable of giving consent.
4. Where the processing is carried out during our legitimate activities as a charity, with respect to our own members, former members, or persons with whom we have regular contact in connection with our purposes.
5. Where the processing relates to personal data which have been manifestly made public by you.
6. Where the processing is necessary for the establishment, exercise or defence of legal claims, or for courts acting in their judicial capacity.
7. Where the processing is necessary for reasons of substantial public interest and occurs on the basis of a law that is, inter alia, proportionate to the aim pursued and protects your rights as a data subject.
8. Where the processing is required for the purpose of medical treatment undertaken by health professionals, including assessing the working capacity of employees and the management of health or social care systems and services.
9. Where the processing is necessary for reasons of public interest in the area of public health (e.g. ensuring the safety of medicinal products).
10. Where the processing is necessary for archiving purposes in the public interest, for historical, scientific, research or statistical purposes, subject to appropriate safeguards.

## Our obligations

We will use your particularly sensitive personal information in the following ways:

- We will use information provided to us as part of consultation with Imperial College Union Advice Centre to manage and resolve cases relating to Academic, Housing or Financial Issues.
- We may use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

## Do we need your consent?

We do not need your consent to process sensitive personal information if we use special categories of your personal information to resolve Advice Centre cases or for equal opportunities monitoring. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

## Automated decision-making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

1. Where we have notified you of the decision and given you 21 days to request a reconsideration.
2. Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
3. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

## Data sharing

We may have to share your data with third parties, including third-party service providers and other entities in the College group. We require third parties to respect the security of your data and to treat it in accordance with the law. We may transfer your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

## Why might you share my personal information with third parties?

We may share your personal information with third parties where required by law, where it is necessary to administer the relationship with you or where we have another legitimate interest in doing so.

## Which third-party service providers process my personal information?

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within the College group. The following activities are carried out by third-party service providers:

- Processing of Payments on imperialcollegeunion.org
- The Rocket Science Group (Mailchimp) for sending and managing mass emails.
- MCR Systems for managing purchases made via our commercial outlets via our EPOS solution and online ordering platform.
- Imperial College London for payroll, managing access to systems and other administrative functions.
- Kettle and Keyboard Ltd t/a RotaCloud for payroll purposes relating to casual staff.
- Sport Imperial for managing team membership and entry to BUCS leagues etc.
- Imperial College Alumni Relations for record management.
- Podio Cloud
- Other membership organisations or industry bodies to administer membership.



## How secure is my information with third-party service providers and other entities in our group?

All our third-party service providers and other entities in the College group are required to take appropriate security measures to protect your personal information 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.

## What about other third parties?

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business and operations of the College. We may also need to share your personal information with a regulator or to otherwise comply with the law.

## Transferring information outside the EU

The Union will, in limited circumstances, disclose personal data to third parties, or allow personal data to be stored or handled, in countries outside the European Economic Area. For example, we will transfer data to:

- IT or other service providers based overseas.

In these circumstances, your personal data will only be transferred on one of the following bases:

- where the transfer is subject to one or more of the "appropriate safeguards" for international transfers prescribed by applicable law (e.g. standard data protection clauses adopted by the European Commission);
- a European Commission decision provides that the country or territory to which the transfer is made ensures an adequate level of protection; or
- there exists another situation where the transfer is permitted under applicable law (for example, where we have your explicit consent).

## Data security

We have put in place measures to protect the security of your information. Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way,

altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions 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.

## Data retention

### How long will you use my information for?

We will only retain your personal information 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.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

## Rights of access, correction, erasure, and restriction

### Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

### Your rights in connection with personal information

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

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information 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 information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).

- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the College's Data Protection Officer in writing.

### No fee usually required

You will not have to pay a fee to access your personal information (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 such 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.

### Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the College's Data Protection Officer. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

## Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

***Last review: September 2023***