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# Summary

The Open University needs to collect and process personal data to provide services to you as students and learners, to manage its operations effectively, and to meet legal requirements.

This document sets out how we process your personal data.

## Summary of significant changes since last version

- We have consolidated previous supplementary privacy notices (for different activities and cohorts of students) into this one document. We have also moved sections around to make things clearer. Supplementary notices now incorporated into this document include those for Apprentices, Nursing, Social Work, non-medical prescribing and advanced clinical practice qualifications, PGCE (Wales), the Young Applicants in Schools Scheme, and Students in Secure Environments.
- We have provided further information about sharing data with, and receiving data from, curriculum and teaching partners, and we have added information about data sharing with our wholly owned subsidiaries OU Worldwide and Open University Student Budget Accounts (OUSBA).
- We have made some amendments to the lawful bases we are relying on: some activities have changed from “legitimate interest” to “public task” for consistency, we have amended our basis to “legitimate interest” where we share data with media providers to display targeted advertising; and we have provided additional information about where consent is required.
- We have made some clarifications, including:
  - explaining automated calculations relating to student results.
  - international processing of data relating to the UKs withdrawal from the EU.
  - Data sharing with funding bodies, including organisations such as Santander.
  - Data sharing with third parties for Students in Secure Environments.
- We have included bag searches and testing for illegal substance as potential activities, where personal data may be captured.
- Generally, the Open University will not be the data controller for data collected by taught students in the course of their studies.

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- We have clarified where data may be shared with employers for work-based learning and apprentices.
- Minor amendments, June 2023, to make provision for students studying through The Open College of the Arts (Appendix 3); and regarding the location of our cloud-based services (5.2).
- Minor amendments, January 2024, to update information about the information we collect or create about you, share with sponsors, and use to support you.

## Scope

### What this document covers

This document applies to you if you have ever applied, enrolled or registered to study with The Open University, including:

- Applicants to programmes with specific entry criteria, such as professional programmes.
- Undergraduate students.
- Postgraduate taught and research students.
- Students studying short courses including microcredentials and CPD courses.
- Students studying under partnership agreements.
- Apprentices.
- Learners registered for vocational qualifications.

NB some activities and services do not apply to all types of student or learner.

For the purposes of this Privacy Notice you may be referred to as a Student of The Open University. This document applies to all students and learners of the Open University as listed within the Scope section.

We collect additional data for some cohorts of students and process it in different ways. If there is any processing, we undertake for a specific cohort of students it will be detailed in [Appendix 3: Activities we carry out for specific cohorts of students](#).

If you have contacted The Open University but not enrolled or registered for study, please see the [Enquirers Privacy Notice](#).

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If you study with OpenLearn, please see the [OpenLearn Privacy Notice](#).

## Related Documentation

- A [summary](#) of this information is available. For more information and related privacy notices, see the [Privacy policy](#) page on our website.
- For more information about cookies on our websites (excluding StudentHome and our Virtual Learning Environment) see our [cookie policy](#).
- Our [Data Ethics policy](#) sets out how we use student data in an ethical way, including to shape the student support provided.
- The [Conditions of Registration](#), and specific conditions for e.g. [short courses](#), [apprentices](#) and [postgraduate research students](#) set out the basis of the relationship between the student or learner and The Open University.

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## The Open University Student Charter Values

This policy specifically aligns with the following Open University Student Charter Values

[Open University Student Charter](#):

1. We treat each other with courtesy and respect, respecting the rights of individuals to hold different beliefs and views and to express them appropriately.
4. We communicate with each other in ways which are clear, relevant, accurate and timely.

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## Commitment to Equality, Diversity and Inclusion at The Open University

Policies are inclusive of all Open University Students, Learners, Enquirers and Alumni, regardless of age, civil status, dependency or caring status, care experience, disability, family status, gender, gender identity, gender reassignment, marital status, marriage and civil partnerships, membership of the Traveller community, political opinion, pregnancy and maternity, race, religion or belief, socio-economic background, sex, sexual orientation or trades union membership status.

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# Safe Space Reporting

The Open University is committed to creating a diverse and inclusive environment in which everyone feels safe and is treated with dignity and respect. Unlawful discrimination of any kind across The Open University will not be tolerated. Safe Space Reporting is available through an online tool through which staff, students, learners, and visitors are encouraged to report incidents of assault, bullying, harassment, hate crime, or sexual harassment. It also provides information about what you can do if these incidents happen to you, or to someone you know, and where you can find support.

## Policy

### 1. Who we are

- 1.1 The Open University is the data controller in relation to the processing activities described below. This means that The Open University decides why and how your personal data is processed.
- 1.2 Where this policy refers to “we”, “our” or “us” below, unless it mentions otherwise, it is referring to The Open University.
- 1.3 The main establishment of The Open University is in the UK. If your data is collected by our office in the Republic of Ireland, then this will also be processed in the UK.
- 1.4 Please direct any queries about this policy or about the way we process your personal data to our Data Protection Officer using the contact details below.

**Email:** [data-protection@open.ac.uk](mailto:data-protection@open.ac.uk)

**Telephone:** +44(0)1908 653994

**By post:** The Data Protection Officer,  
PO Box 497,  
The Open University,  
Walton Hall,  
Milton Keynes  
MK7 6AT

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Data subjects within the EU can contact the Data Protection Officer c/o the Open University in Ireland: Holbrook House, Holles Street off Merrion Square, North Dublin 2, D02 EY84.

- 1.5 You can update your contact preferences when you sign into the [Open University website](#), by using any unsubscribe options available in communications we send you, or by [contacting us](#).

## 2. What data do we collect about you and how do we collect it?

### Data that you give to us

- 2.1 As soon as you contact us, we create a record in your name. To that record we add data that you give us when applying, enrolling or registering with The Open University and throughout your studies. This includes communications between you and The Open University for administrative and support purposes, and where you use the services, we offer or get involved in activities we organise, e.g. disability services, employability services or student consultations.
- 2.2 You may give us data about “[special categories](#)” of data, including your racial or ethnic origin, religious beliefs, physical or mental health, or sexual orientation.
- 2.3 Students who are currently or become subject to a HM Prison and Probation Service (HMPPS, or other criminal justice agency) licence, Court Imposed Order or similar relevant condition/restriction imposed by a court or by an authorised body must also make The Open University aware immediately of any conditions which may prevent them from fully engaging with their course and the wider University community. For more information, see the [Conditions of Registration](#).

### Data that we automatically collect:

- 2.4 We will automatically collect data about your participation in learning and assessment activities, your use of module and related websites, and all forms of assessment activities including assignments and exams.
- 2.5 We automatically collect some data when you browse our websites. Further information about this is given in our [cookie policy](#).
- 2.6 If you use an Open University email address and other Microsoft Office 365 services associated with that email address, then we collect log data about your use of the service.

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2.7 We generally record telephone calls to and from our student recruitment and student support teams and monitor other communications between you and The Open University. This is to make sure that we have carried out your instructions correctly and to help us improve our services through staff training. We will also use call recordings to investigate complaints. We track emails we send to you to see which messages have the highest response rates and whether there are messages that resonate with particular groups of people. We do this by logging whether emails we send have been opened, deleted and interacted with (for example, by clicking on links within the emails). Although we only use this information to look at general patterns, it is still personal data because it is linked to your email address.

2.8 Some of our systems and processes automatically collect personal data:

- If tutorials, other learning events or meetings are recorded, then some personal data of participants may be automatically captured.
- IT system use is logged and monitored.
- CCTV cameras across Open University sites.
- There are number plate recognition cameras at campus entry and exit points, but these are not linked to databases containing vehicle information.

**Data we receive from third parties:**

2.9 We may contact the Higher Education Statistics Agency (HESA), other educational institutions, or education databases (such as your Personal Learning Record (PLR) on the Learning Records Service) to confirm the qualifications you have obtained or to check whether you have been included in a previous HESA or Individual Learner Record (ILR) return. We also receive some personal data from HESA as part of the process of reporting to HESA according to our legal obligation.

2.10 If your fees are paid via a loan through Open University Student Budget Accounts Limited (OUSBA), or funding from a UK funding authority or government agency, such as a loan or grant, we will receive basic data from the funding provider. If your fees are paid by another organisation, they may provide some data about you to us. Further information is available to you in the appendices of this document, your registration documents, or your funding terms and conditions.

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- 2.11 If we have a partner organisation supporting student recruitment in a particular area, then we may receive your contact details from them, in order to provide you with information about our courses and application, enrolment or registration.
- 2.12 If you are studying an external course which has a collaborative credit partnership with The Open University, then we will receive details about your marks and credit from the partner you have studied with.
- 2.13 If you are studying with an organisation whose qualifications are validated by The Open University, then we will receive information about your qualification from the partner you studied with.
- 2.14 If you are studying a work-based learning programme, then we may receive some registration details directly from your employer or sponsoring agency
- 2.15 If you are not currently studying, we may enhance our records with data received from third parties, in order to ensure we have up to date contact details for you, and in order to offer you more relevant communications. We will only send you marketing communications if your communications preferences allow this. If you do not wish to receive these communications, you can change your communications preferences by using the information in [Section 1.5](#).

**Data that we generate about you**

- 2.16 We combine information about your assessment scores, engagement with learning materials and online facilities, and demographic information to generate analytical information relating to you. This enables us to identify if you might need additional support during your study.

**3. How do we use your personal data?**

- 3.1 We collect and process a broad range of personal data about you in order to administer your programme of study, deliver our services and support you, to manage our operations effectively, and to meet our legal requirements. Legal bases for collecting your data can be found in [Section 8 “Our legal bases for contacting you and using your personal data”](#).
- 3.2 If you do not provide us with some of the data, we need at registration then we may not be able to effectively provide administration or support services to enable you to succeed in your study. In certain circumstances, it may also lead to you being unable to enrol or register with the OU.

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It is also important that you keep the information provided at registration up to date. It is your responsibility to keep your personal data accurate by updating your profile on StudentHome. You must notify us within a reasonable time if you change your name, the country where you are resident or ordinarily resident, or any of your contact details.

- 3.3 We use your “special categories” of data for activities including: equal opportunities monitoring, identifying if you need support (in conjunction with other [learning analytics](#) data), informing academic research, providing you with relevant opportunities and services, and ensuring that views of students with specific protected characteristics are represented. Data that you have given us about any health conditions, disabilities and special requirements you have will also be used to inform the provision of reasonable adjustments and other provisions for your study.
- 3.4 You may submit additional “special category” data to us, for example medical evidence for funding, data about your religion relating to special circumstances for an examination, or data pertinent to an enquiry or complaint. We only use this data for the purpose for which it was provided.
- 3.5 Detailed information on how we use your data is provided in [Appendix 1](#).
- 3.6 We are committed to the data protection principles of good practice for handling data. All personal data is held securely, and we will only transfer data within The Open University on a ‘need-to-know’ basis so that we can support our academic and other services to you.
- 3.7 We do not sell personal data to third parties.

**Managing unwanted communications:**

- 3.8 We will contact you in connection with your experience as an Open University student or learner. We may also send you marketing information or invite you to take part in research to improve our services. If you do not wish to receive marketing or research communications, you can change your communications preferences by using the information in [Section 1.4](#).

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## 4. Who do we share your data with?

4.1 We share data with a number of third-party organisations for specific purposes. For example:

- When you enrol or register as a student, we will share some data with the Open University Students Association (OUSA) as you automatically become a member. We also share data with OUSA when you sign up for partnership activities with OUSA.
- We share data with HESA for equality monitoring and statistical purposes. If you want to know more about how HESA uses your data, please see the [HESA website](#). We will also share your data so that you can be invited to participate in surveys commissioned by the Office for Students, or other government departments, which may be carried out by contractors on their behalf. For information about opting out of the National Student Survey visit <https://www.thestudentsurvey.com/privacy-policy/>
- We share data with organisations that provide funding and fee payments, for example:
  - the Student Loans Company.
  - national funding authorities/ government bodies e.g. Student Finance England.
  - sponsor and employer organisations.
  - Open University Student Budget Accounts Limited (OUSBA).
  - Commercial and charitable organisations that fund particular programmes, e.g. Santander via the Santander Universities platform.

We may disclose your data to our third-party service providers and agents for the purposes of providing services to us, or directly to you on our behalf. This includes IT service providers, online learning environments, etc. When we use third party service providers, we only disclose to them any personal data that is necessary for them to provide their service. We have a contract in place that requires them to keep your data secure and not to use it other than in accordance with our specific instructions.4.2

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More detailed information on who we share your personal data with is available in [Appendix 2](#).

**Other ways we may share your personal data:**

4.3 We may transfer your personal data to a third party if The Open University ceases to exist and another organisation offers to continue your study, in line with our Student Protection Plan. We may also transfer your personal data if we are under a duty to disclose or share it in order to comply with any legal obligation, to detect or report a crime, to enforce or apply the terms of our contracts or to protect the rights, property or safety of our enquirers, visitors and students. However, we will always aim to ensure that your privacy rights continue to be protected.

**5. Do we transfer data internationally?**

5.1 Where we transfer personal data to service providers or international partners outside of the UK or the EEA, we take steps to ensure that your privacy rights are protected by using appropriate safeguards, i.e. the use of appropriate standard data protection clauses adopted by the EU Commission or the UK. Occasionally we may ask for your consent to share data outside the EEA or the UK.

5.2 Generally, data you provide to us is held securely on University databases, or on our cloud-based systems which are located within the UK and the EEA.

5.3 The main establishment of the Open University is in the UK. If your data is collected by our office in the Republic of Ireland, then this will also be processed in the UK.

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**6. How long do we keep your personal data for?**

6.1 If we collect your personal information, the length of time we keep it for is determined by a number of factors including our purpose for using the information and our legal obligations.

6.2 We have a retention schedule for personal data and keep identifiable records only for as long as they have a legal or business purpose. For example:

- i) We keep academic transcript data at least until a student’s date of birth + 120 years, in order to facilitate continued study, provide references and verify your study with us, and for archival research. For archival purposes we will maintain a core permanent record.
- ii) We keep some data relating to the module or qualification, and related queries and communications, six years after you have completed the module or qualification, in order to inform our ongoing relationship with you, and in case it is necessary to establish, bring or defend legal claims.
- iii) We destroy some data within three years, where it does not have a longer-term impact, and is not required for business purposes. For example, we will destroy some data that is relevant to exams and assessment shortly after the result is decided, and we will only keep the result itself. We keep data about unsuccessful applicants to programmes with specific entry criteria for three years after the application process has completed.
- iv) If you are registered for a vocational qualification, we keep your data for a maximum of three years after you have completed the qualification, and the Awarding Organisation will hold your qualification record.
- v) If you are registered onto an Apprenticeship programme your data will be kept for the duration required by the funding agency or Nation’s Governmental department overseeing the programme which you are following.

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## 7. Taught students' use of personal data

7.1 Taught students are not usually expected to collect or process personal data as part of their Open University studies. Assignments and evidence of work-based practice should only include summarised or anonymised information. If you need to process personal data you must get the agreement of your tutor, supervisor or assessor that this is necessary, and you must follow any instructions given on how to process personal data.

7.2 Generally, the Open University will not be the data controller for data processed by taught students. You will be fully responsible for adhering to data protection standards. See the [Information Commissioner's Office website](#) for more information.

## 8. Our legal bases for contacting you and using your personal data

8.1 Generally, our legal basis for processing your personal data is that it is necessary for the performance of the contract between you and the Open University (i.e. the student registration agreement), or that it is part of the Open University's public task of delivering Higher Education and vocational qualifications or Apprenticeship programmes. We have some activities that are in our legitimate interest, some activities we ask for consent to carry out, and some that we are legally obliged to undertake. Please see Appendix 1 for more information on how we use your personal data, and what our lawful bases are.

## 9. Your (data subject) rights

9.1 You have a number of rights in relation to your personal data, which apply in certain circumstances. In order to exercise any of these rights, please contact us using the details in this document. Your rights are described in more detail [by the Information Commissioner's Office](#).

9.2 You have the right:

- to [access the personal data](#) we hold about you and to receive a copy.
- to [correct inaccuracies](#) in the personal data we hold about you.
- to [have your data deleted](#) when it is no longer required.

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- 9.3 In some circumstances, you also have the right:
- to [limit how we use](#) your personal data,
  - to [data portability](#) which is the secure transfer of your personal data,
  - to [object to the use](#) of your personal data.
- 9.4 Where we rely on consent as the legal basis on which we process your personal data, you may also withdraw that consent at any time.
- 9.5 Please contact us using the contact details set out in [Section 1.4](#) if you wish to make a request to exercise your rights. Generally, we have one month to respond to you, and there is no fee for making a request.
- 9.9 If you are concerned about the way we have processed your personal data, you can complain to the Information Commissioner’s Office (ICO). Please visit the [ICO’s website](#) for further details, or you can use their [online tool](#) for reporting concerns.
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**Alternative format of Student Privacy Notice**

If you require this document in an alternative format, please contact your [Student Support Team](#).

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# Glossary

## Data Controller

A data controller determines the purposes for which and the way any personal data are processed. In essence, this means that the data controller decides how and why personal data are processed.

## Data Portability

This is the secure transfer of your personal data and is one of your rights under data protection law. You have the right to get your personal data from an organisation in a way that is accessible and machine-readable, for example as a csv file. You also have the right to ask an organisation to transfer your data to another organisation. They must do this if the transfer is, as the regulation says, “technically feasible”.

## Data processing

This includes collecting, using, recording, organising, altering, disclosing, destroying or holding Personal Data in any way. Processing can be done either manually or by using automated systems such as information technology systems and “Process” and “Processing” shall be interpreted accordingly.

## Legitimate interest

A justification for processing personal data set out in the UK GDPR, where the processing is necessary for the legitimate interest of the organisation or the legitimate interest of a third party.

## Personal data

According to the UK GDPR, ‘personal data’ means any data relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

## Protected characteristics

There are nine characteristics protected under the Equality Act 2010. They are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

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## Profiling

Profiling analyses aspects of an individual’s personality, behaviour, interests and habits to make predictions or decisions about them. The UK GDPR defines profiling as follows:

‘profiling’ means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person’s performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

## Public Task

A justification for processing personal data set out in the UK GDPR, where the processing is necessary for The Open University to perform a task in the public interest, or for our official functions, set out in our [Charter](#).

## Special categories of data

The General Data Protection Regulation sets out “special categories” of data which have to be given additional protection. These comprise your racial or ethnic origin, religious beliefs, political opinions, trade union membership, genetics, biometrics (where used for ID purposes), physical or mental health, sex life and sexual orientation. Information about criminal offences or criminal proceedings are treated similarly.

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## Appendix 1: How do we use your personal data?

### A1.1 Course administration and teaching delivery

A1.1.1 The following data processing activities are necessary for the contract we have with you, as set out in your Registration Agreement and Conditions of Registration. They include:

- Enrolling or registering you as a student or learner and managing fee payments.
- For programmes which have an application process, determining that an applicant meets the programme entry requirements and can be offered a place on the programme.
- Administering your fee payment.
- When you register, we use an automated process to indicate whether or not you will be eligible to receive government funding. You can ask us to review this decision.
- Maintaining your student record.
- Administering your study, including your learning events and placements, and access to OU systems.
- Monitoring your engagement with us. We use module website activity, submission of assessments, exam and study event attendance, use of library resources, and your contact with the OU, in order to perform checks on whether you have engaged with OU study. These allow the release of funding to both the OU and students, and the suspension of funding where students have ceased to study. This is an automated decision which you can ask to be reviewed via the [appeals process](#).
- Managing queries (Disclosure of special category data would be via explicit consent).
- Ensuring a safe environment. If you give us any data about your current criminal convictions, or restrictions you are subject to, we will use the data to restrict your access to services where required.

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A1.1.2 Some of our data processing activities are necessary for our public task, as set out in our [Charter](#) and relevant legislation. These include:

- Long term retention of student data for verification of qualifications and archival research purposes.
- Recording of study events, e.g. online tutorials and face to face tutorials.
- Analysing information to identify students who may benefit from additional support.
- Processing safeguarding concerns to ensure the safety and wellbeing of our students and others.

A1.1.3 Activities where we ask for your consent:

- Processing dietary requirements and requirements for physical access to learning events.

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## A1.2 Assessment and awards

A1.2.1 Activities which are necessary for your contract to study with us:

- Administering examinations and assessments. We may contact you via SMS with deadline reminders unless you opt out of this.
- Calculating your scores, grades and classifications.
  - Module results are [standardised](#), Computer Marked Assignments are marked via an automated process, and qualification classifications are determined via an automated calculation.
  - These can be forms of automated decision making which may have a significant effect on a student. You can ask for these decisions to be reviewed via the [appeals process](#).

A1.2.2 Some of our data processing activities are necessary for our public task, as set out in our [Charter](#) and relevant legislation. These include:

- Quality assurance of assessment marking activities
- Plagiarism checking. We use plagiarism detection software to detect matches between your work and the module materials and other online resources; and to

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detect matches between assignments across current and past cohorts of students. Tutors and markers may also identify indications that you have not written an assignment yourself or recognise information that has not been referenced properly. See the [academic conduct pages](#) for more information.

- Administering degree ceremonies and the publication of awards, marks and inclusion in pass lists.
- Information you provide to us about your health or religion, relating to circumstances which have impacted your study, or where you need specific exam arrangements (special circumstances, exceptional exam arrangements or discretionary postponement).
- Processing requirements for physical access to facilities.

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### **A1.3 Complaints, misconduct, fitness to practice and study casework**

A1.3.1 Activities which are necessary for your contract to study with us, or are part of our public task:

- Managing complaints, appeals, allegations of misconduct, [fitness to practise](#) and fitness to study casework.

A1.3.2 Any “special category” information that you disclose to us for use in fitness to practice, [fitness to study](#), or complaint cases requires your explicit consent for us to process.

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### **A1.4 Support services and proactive academic support**

A1.4.1 Activities which are necessary for your contract to study with us:

- Providing support services which are necessary for your study, e.g. IT helpdesk services, disability services, and Library resources and services.
- Providing academic support. We may also identify if you require additional support or specific services and contact you to offer support. We provide targeted and specific support to student groups with shared characteristics and/or behaviours. (This is often called “profiling”). For more information see the [Data Ethics Policy](#).

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A1.4.2 Activities which are part of our public task of delivering higher education qualifications:

- Providing other support services and other facilities to you, for example careers support, as well as opportunities to volunteer. When you enrol or register as a student, you are automatically enrolled on OpportunityHub, our careers management system. This service is available to you up to three years after your last study with the OU.
- Administering additional financial support, including medical evidence.
- Administering payments for students relating to awards, grants, donations or prizes.
- We will inform you about opportunities and services you are eligible for (“profiling”). We may use data regarding ethnic origin, disability and other data in order to identify groups which would benefit from particular opportunities or services.
- Providing reasonable adjustments for students with disabilities.

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## A1.5 Marketing

A1.5.1 We process your personal data as part of our public task for the following purposes:

- To send you marketing communications, if you haven’t already set your OU marketing preferences when you register or enrol to study. You are able to opt out of receiving marketing communications by using the details in [Section 1.4](#).
- To analyse our student body to inform our marketing strategy and to enhance and personalise your customer experience.
- To verify the accuracy of data that we hold about you and create a better understanding of you as a customer.

A1.5.2 Activities we carry out with your consent:

- We send you marketing communications about our modules, qualifications, or other services, if you set your OU marketing preferences before you registered or enrolled as a student. You can change your marketing communications preferences at any time.

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- We use cookies and similar technologies to obtain an overall view of visitor habits and volumes to our website, and to provide you with more useful and relevant adverts on our website and other websites. For more detailed information on how we use cookies see our [Cookie policy](#).

#### A1.5.3 Activities in our legitimate interest

- To show you targeted advertising on third party sites. We may use media providers' services (e.g. Facebook and Google) to securely match your contact details with their user profiles, to show you relevant advertising online, or to exclude you from advertising. We may also use this to identify a target audience with the same interests as you, who would receive targeted advertising delivered online through the third-party social media platforms and services – who would receive relevant Open University adverts. For more information, see [how to control the ads you see on Facebook](#), [how to control the ads you see on Google](#), and [how Google ads work](#).
- You can ask us not to share your details with media providers, by using the details in [Section 1.4](#).

## A1.6 IT, security and internal administration

### A1.6.1 Activities in our legitimate interests:

- To prevent fraud and other criminal activities, for example fraud in relation to public funding.
- To audit our activities in order to ensure regulatory compliance.
- To monitor use of IT services and ensure network and information security.
- To test and maintain our systems and to ensure robust performance.
- To help us improve our services via staff training.
- Administration of The Open University's CCTV system, to provide a safe environment and facilitate the prevention and detection of crime.
- Results from bag searches and illegal substance testing.
- To record concerns about people at risk of being drawn into terrorism (*Prevent*).

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- We use cookies and similar technologies to enable functionality in our websites. For more detailed information on how we use cookies and how to switch them off on your device, see our [cookie policy](#).

## **A1.7 Case studies and publicity**

### A1.7.1 Activities we carry out with your consent:

- To develop a case study with you to promote the benefits of studying with the OU – including written content, video and audio recordings and related images. This would include details of your student experience, qualifications, your personal identifier (PI) and, if relevant, your age, gender, location and employment details. If you are a member of the University’s student or alumni community, we will note on your record that a case study on you exists.
- Your consent form will list the places your story may be published.
- You may withdraw consent for us to use your case study and image at any time by contacting [OU-stories@open.ac.uk](mailto:OU-stories@open.ac.uk). If you withdraw consent, we will remove it from our websites. If the case study/image was published on social media, please note we can remove the original post, but it may have been shared by others and we may not be able to recall it. You can contact social media platforms directly to request that content is removed.
- We will store data alongside your story that relates to your ethnicity, any disabilities you may have, or your LGBTQI+ status. This information is only stored internally and used to help us identify case studies for certain situations.

A1.7.2 We sometimes receive information from our partner organisations such as employers or unions about our students and alumni who may be willing to provide us with a case study about their study experience. We use this information to contact you and find out if you are willing to be a case study ambassador. This is part of our public task.

## **A1.8 Internships, employability and unpaid work placement schemes**

A1.8.1 Activities which are part of our public task of delivering Higher Education qualifications and supporting our learners.

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- When you apply for a role, we will also access information that is already held on your student records, including your Personal Identifier (PI), name, date of birth, contact details, registered qualification, level of study (or date of graduation if alumni), nationality, religion and intended graduation date.
- We will provide your application and contact details to the employer for shortlisting purposes. If the employer carries out “blind” shortlisting, then your name, date of birth/ age and contact details will not be provided to the employer unless you are successfully shortlisted.
- Once your application is submitted to an employer, we will collect information from the employer regarding placement recruitment and the outcomes of the placement activity e.g. early termination, or further employment of the student. This enables us to administer the scheme effectively and check eligibility where required.
- The Open University will hold all applications for the period of 6 months or the length of the internship whichever is longer.

## **A1.9 Student engagement**

A1.9.1 Activities that are part of the University’s public task of delivering higher education qualifications.

- If you sign up to our mailing lists, or volunteer to take part in student engagement or student voice activities, then we will collect relevant information which might include your views about the OU, use it to administer and evaluate the activities and contact you with information about the activities you have signed up for. You are able to withdraw from student voice related mailing lists that you have signed up for, using our withdrawal form.
- For certain forms of consultation or activity, we will identify and contact all students eligible to take part (profiling). For example, all students studying particular qualifications would be invited to take part in a Boards of Studies Student Consultation Forum. You will receive these communications even if you have not signed up to a student voice mailing list.
- We administer student engagement events, including processing travel expense claim forms.

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- We may use ethnic origin, disability and other data in order to ensure that views of students with specific protected characteristics are represented, and as part of evaluation and review.
- The Open University Students Association provides us with lists of their representatives who will be taking part in student voice activities, and where activities are organised in partnership, we will share with them relevant data.
- Photos and videos may be taken at events, and these may be shared on internal OU websites and communications; external OU websites; presentations by OU staff at internal and external events; and social media. You may ask for us to take these down at any time by contacting [student-voice@open.ac.uk](mailto:student-voice@open.ac.uk). If published on social media, please note we can remove the original post, but it may have been shared by others and we will not be able to recall it. You can ask social media sites to remove individual posts.
- Anonymised quotes will be used to inform research and as evidence for quality enhancement. They may be shared with Open University staff and students or in publicly shared research.

#### A1.9.2 Activities that require consent:

- We will process dietary requirements and requirements for physical access to events.

A1.9.3 We keep information about student engagement activities for up to three years. We keep information of subscribers to any mailing list relating to student voice for up to three years after they cease to subscribe. We keep information about your views relating to particular consultations for five years. We keep anonymised survey data for up to ten years for tracking purposes. We keep photos and videos containing images of students for three years.

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## A1.10 Management information, reporting and service improvement

A1.10.1 Activities which are part of our public task of delivering qualifications and apprenticeship programmes:

- Providing statistical and management reports, for service improvement, forecasting and target setting, as well as to understand the impact of our courses and services on students. This includes predicting and reporting on student numbers.
- The data includes special categories of data for equal opportunity monitoring, to help us understand our student demographics and what factors may influence success. For example, to see if groups of people with the same characteristics such as age group, gender, location etc respond more positively than other groups to a certain type of activity.
- Improving student experiences and the quality and delivery of teaching and learning and our other services. This includes identifying curriculum needs, and carrying out academic research and scholarship, market research, and engaging students in quality enhancement activities. We will ask you for feedback when you complete learning activities, and we may also ask you to take part in specific research activities or engage outside research agencies to do so on our behalf.

Funding bodies and associated inspectorates (e.g. Ofsted, QAA) may also contact students in order to gather feedback in relation to quality of provision.

- We use data regarding ethnic origin, disability and other special category data in order to identify groups for formal feedback and to analyse responses.
- We may also contact you to find out if you are interested in taking part in other areas of research. If you do not want to be contacted to take part in any research activities, please let us know using the details given in [Section 1.4](#).

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## Appendix 2: Who do we share personal data with?

### A2.1 Third party suppliers and service providers

- A2.1.1 We use third party suppliers and service providers for a number of activities, from printing desk records and providing IT systems and learning and eportfolio platforms, to providing venues for learning events, and as agents for contacting international students and conducting market research. We also use media providers services (like Facebook and Google) to show you relevant advertising online, or to exclude you from advertising, and to identify target audiences like you (see A1.5 Marketing). It is in our legitimate interest to use third party suppliers to maintain cost effective and efficient operations.
- A2.1.2 When we use third party service providers, we only disclose to them any personal data that is necessary for them to provide their service. We have a contract in place that requires them to keep your data secure and not to use it other than in accordance with our specific instructions.

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### A2.2 Higher Education Regulators

- A2.2.1 We are required to send some of the data we hold about students to HESA (the Higher Education Statistics Agency) and other English, Irish, Welsh and Scottish regulatory and government bodies for monitoring and reporting purposes. If you want to know more about how HESA uses the data, please see their [privacy policy](#). This is part of our public task of delivering higher education qualifications.

We may share student data with the QAA and Ofsted in relation to quality reviews and inspections on behalf of the Office for Students.

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### A2.3 Funding bodies and sponsors

- A2.3.1 If you are paying your fees via a part time tuition fee loan or a fee grant, data on your courses and fee liability course, and attendance or engagement is shared with the relevant funding body.
- A2.3.2 If you apply for maintenance funding or discretionary financial support, e.g. Access to Work or Disabled Students Allowance, we share data with the relevant national funding body to progress the award.

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- A2.3.3 We share data with Open University Student Budget Account Ltd (OUSBA). If you wish to open an account with OUSBA we will share some data with them when we refer you to them. Whilst you continue to pay via this method you will need to inform OUSBA of any changes to your contact details in addition to advising The Open University directly.
- A2.3.4 If your fee, or part of your fee, is paid by your employer or another sponsor, data may be released to your sponsor organisation, including your name, Open University Personal Identifier, module details, academic progress and achievement. This includes information on submission of assessments and assessment outcomes (pass or fail). If we have a corporate contract with your employer, we may also share data about your participation in study activities and events.
- A2.3.5 If you apply to the Open University Students' Educational Trust (Ouset) we may be requested to pass data about you to the Ouset.
- A2.3.6 If you are participating in a programme which is funded externally (by a government body or commercial organisation), we will share some personal data with the funding body or their agents to ensure that we meet our legal and contractual obligations, and for planning and reporting purposes, e.g. equality monitoring and academic achievement. For example, apprentices are funded by ESFA. Further information relating to the [use of personal data by the Department for Education \(DfE\) and the Education and Skills Funding Agency \(ESFA\)](#) can be found on their website.
- A2.3.7 If you have received funding from Santander, you will need to sign up to their Scholarships platform and provide them with some data.
- A2.3.8 Funding bodies may contact students in order to collect feedback about the quality of the programmes they have funded, and to inform the improvement of programmes.
- A2.3.9 These activities are necessary for your contract to study with us or part of our public task of delivering qualifications and apprenticeship programmes.
- A2.3.10 For government funding, these are legal obligations, governed by regulations made under the [Teaching and Higher Education Act 1998](#): for [England, Wales](#); [Scotland](#), and [Northern Ireland](#). Further information is available with the relevant funding application.

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## **A2.4 Employers, sponsors and regulatory bodies - work based learning, professional and vocational qualifications**

A2.4.1 If you are studying a work-based learning programme, a professional programme, or a vocational qualification, then we share some data with employers, (including employers' agents) and sponsoring/ supporting organisations.

A2.4.2 Activities which are necessary for your contract to study with us, or part of our public task of delivering higher education qualifications:

- We share information about applications, engagement, progress, practice-based assignments, and placements. We will also share relevant fitness to practise, fitness to study and significant disciplinary information.
- in order to provide targeted support and to meet our responsibilities under the terms of our joint collaboration and contractual agreements. Employers may be given access to eportfolios.
- Information about your health and any declared disability and reasonable adjustments may be shared in line with legal obligations to provide reasonable adjustments and in order to comply with regulatory requirements.
- We share data with Practice Educators/Assessors, Practice Tutors and Mentors who provide supervision for students on placements and in their workplace.
- Data may be shared so that neither you nor members of the public are put at risk while you carry out a placement.
- Information and evidence relating to your conduct may be shared by any member of employer/ sponsor/ supporting organisation or OU staff where it might affect your professional suitability, fitness to practise, continued employment, or your continued participation in any practice learning environment. Your employer has the right to deal with employment related matters under their own procedures, independently of The OU's Fitness to Practise Procedure – however, this may also be invoked in respect of those matters.
- The Open University may also share information regarding an investigation into fitness to practise with an employer/ sponsor/ supporting organisation even where the matter under investigation is not considered to pose an immediate risk.

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- We may share some data with the relevant professional body to enable registration. The OU will, where required, notify a professional body or regulator of any matter relating to suitability or fitness to practise that is under investigation as well as the outcome of any investigation.

## A2.5 Curriculum and teaching partners

### A2.5.1 Activities which are necessary for your contract to study with us:

- For partnerships which result in a dual award, any academic work that you produce, and your results will be shared so that the dual award may be properly assessed.
- Where a partner organisation provides your learning platform, then personal data will be shared between the provider and the Open University in order to administer your registration and progress.
- Where a partner organisation provides any teaching or face-to-face support for your learning, then information available to OU tutors including your progress, learning events and recent contact with the OU may be shared with the partner. See also [Work based Learning](#).
- Where a partner organisation provides assessment of work, then information available to the third party will include your assignments and/ or exam scripts, and your marks.

### A2.5.2 Activities which are part of our public task of delivering higher education qualifications:

- If a partner organisation co-develops or quality assures learning content, then we may share some assessment or complaint information with them.

## A2.6 Open University Students Association

NB: This is not relevant to those studying microcredentials or vocational qualifications

A2.6.1 When you register or enrol as a student, we will share some data with the OU Students Association as you automatically become a member. It is part of our public task to enable membership for all students, unless they wish to opt out of this, by using the details in [Section 1.4](#).

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A2.6.2 When you graduate, if you consent to it, we will inform the OU Students Association that you are attending a specific ceremony, as they print t-shirts with graduate names on.

A2.6.3 When we organise a student engagement activity in partnership with the Students Association and you opt to take part, we may share details of your participation.

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## **A2.7 References**

A2.7.1 We will provide academic references and confirmation of study to prospective employers, Mortgage lenders and letting agencies, with your consent.

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## **A2.8 Sharing of data with other organisations**

A2.8.1 We share data with other organisations in specific circumstances. This is either required for your contract to study with us, or is part of our public task to deliver qualifications and apprenticeship programmes

- If you complain about us and escalate your request to the Office of the Independent Adjudicator (OIA), we will share details of your complaint with them.
- We may ask you if you would be willing to take part in educational research carried out by other organisations.
- We share data with staff members of Open University Worldwide (OUW), our wholly owned subsidiary company who work on corporate contracts. If you are an apprentice or sponsored by your employer, your data may be processed by OUW staff.
- We share data with Awarding Organisations (e.g. vocational qualifications and qualifications awarded by bodies external to the Open University; for example for English and maths) for registration and certification purposes, and for provision of reasonable adjustments.
- We share data with other Higher Education Institutions where students wish to transfer their prior studies from or to The Open University Programmes (as credit transfer or as graduate-entry, as appropriate).

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## A2.9 Crime and emergencies

A2.9.1 We will share data with the emergency services where there is an emergency situation such as illness or serious injury, where this is in someone's vital interest. We will also share data with, for example, Child and Adult Protection Services, or the emergency services, when we have a safeguarding obligation.

A2.9.2 We will share data with the police and other agencies and authorities, e.g. Channel, where necessary for the prevention and detection of crime, or collection of taxes, including under our ["Prevent" \(Counter-Terrorism\) Duty](#).

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## Appendix 3: Activities we carry out for specific cohorts of students

The follow sections set out additional data processing and sharing which occurs for specific cohorts of students, in addition to the processing and sharing set out in Appendices 1 and 2.

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### A3.1 Nursing and Social Work

A3.1.1 We share data with the funding agencies for training in England, Wales, Northern Ireland, and Scotland regarding student placements and the administration of the placement funding provided by the government agencies.

A3.1.2 Social Work assessed practice elements may be selected for review at your module's Practice Assessment Panel. Membership of the Panels include Agency/Employer representatives, Practice Educators, Practice Tutors and Service Users/Carers.

We share data on OU Social Work students with the formal Teaching Partnerships supporting them.

A3.1.3 We are required to check for any legal restrictions or conditions you may be subject to, in accordance with the guidance of your relevant professional body. This may include searching publicly available information, for example using internet searches. If required by your professional body, we may also ask you to self-disclose any relevant spent criminal convictions.

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### A3.2 Post Graduate Certificate in Education (PGCE) (Wales)

A3.2.1 The admissions and selection documentation submitted to the OU for applicants will be shared with the partner schools participating in the interview selection process.

A3.2.2 Student data will be shared with the PGCE Partnership, including Regional Consortia, to ensure that we meet our legal and contractual obligations for the funding, delivery and monitoring of the PGCE. Personal information about your study including name, address, qualifications, Disclosure and Barring Service (DBS) check, ethnicity and employment data and other relevant information will be shared among these institutions. Each institution will keep any information shared among them secure, and they will process it according to their own data protection policies. Student performance data will be shared at aggregate level.

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A3.2.3 These activities are either part of our public task in offering higher education qualifications or are necessary for your contract to study with us.

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### A3.3 Apprentices

A3.3.1 We receive your name, date of birth and email address from your employer in order to:

- Register you as an apprenticeship applicant,
- Provide you with a log-on to the Apprentice Applicant Portal,
- Provide you with access to English and Maths initial assessment software, and,
- Arrange apprenticeship funding through the Apprenticeship Service /or as appropriate dependent upon the Nation in which you are studying.

This is part of our public task of enabling registration and compliance with apprenticeship funding requirements.

A3.3.3 The Apprenticeship programme will also create or maintain a unique learner number (ULN) and a personal learning record (PLR) using the Learner Records Service.

We will contact the Learner Records Service to confirm or create your Unique Learner Number, confirm the qualifications you have obtained previously or to check if you have been included in a previous [Individualised Learner Record \(ILR\)](#) return.

These activities are necessary to your contract with the OU as an apprentice.

A3.3.4. We collect emergency contact details, which we will use if a relevant situation arises at a learning event. By providing this information, you give your consent for us to use it in this way, and you can withdraw consent by contacting your APDM and your practice tutor.

A3.3.5 Throughout your apprenticeship we will share your data with key partners involved in the delivery of your apprenticeship. The sharing of this data is necessary to your contract with the OU as an apprentice and forms part of our legal and contractual requirement with our key stakeholders for the funding, delivery and monitoring of your apprenticeship. Further information relating to the [use of your personal information by the Department for Education \(DfE\) and the Education and Skills Funding Agency \(ESFA\)](#) can be found on their website.

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- We share data with the End Point Assessment Organisations (where required by the apprenticeship standard you are undertaking) for registration and progress purposes. This includes registration data, your apprentice programme, work-based learning portfolio of evidence, academic qualification data and End Point Assessment specific materials e.g. presentations.
- We share data with the Apprenticeship Prime Provider (if your apprenticeship is being delivered through a subcontracting arrangement) for funding purposes to allow the prime provider to complete their legal and contractual obligations. This data includes registration, apprentice programme and academic qualification data.
- We share data with your Employer and / or their agent (s), for attainment and progress monitoring (See [Employers – work based learning.](#)) Disability information will be shared with your consent to ensure the employer can provide reasonable adjustments for study. You can withdraw your consent for sharing Disability information with your employer by contacting your APDM and your practice tutor via email apprenticeships@open.ac.uk Your line manager (or equivalent) will also be given access to your e-portfolio account including the content that you create and save there, together with comments and information regarding your progress in your apprenticeship.

A3.3.6 If you are unsuccessful in your application to The Open University’s Apprenticeship programme, your information will be retained for a period of 2 years.

A3.3.7 If you are successful in your application to the Open University’s Apprenticeship programme, the Education and Skills Funding Agency require us to keep information relating to your apprenticeship and the funding for a period of 7 years following the end of your apprenticeship. If your apprenticeship has been co-funded by the European Social Fund (ESF), your information will be retained in accordance with the ESF retention policy.

### **A3.5 Postgraduate Research (PGR) Students**

A3.5.1 There are certain activities described in the student privacy notice that do not apply to PGR students. For example, the national student survey does not apply to PGR students, however we do engage with the Postgraduate Research Experience Survey (PRES).

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**PGR Applicants**

A3.5.2 Unsuccessful application records are held for six months after the end of the application process. Anonymous equality monitoring data may be retained after this time.

**PGR Students**

A3.5.3 Additional Information we collect:

- You may provide us with additional personal data than we normally collect, if the nature of your research requires certain checks or verifications to be made about you. We may also collect your bank details if you are in receipt of a stipend or any other financial award.
- We may be given personal data about you by third party organisations you have a relationship with, for example Affiliated Research Centres, or partner organisations. If your research requires you to have a DBS check, then we will be given this data as well. We may receive references about you from previous employers or other relevant people.
- We may also collect or create information whilst you study with us including health and safety records, and sickness and absence records.
- We automatically collect some data, e.g. in our door entry logging and work monitoring systems.

A3.5.4 Activities which are necessary for the performance of your contract to study with us:

- Ensuring you have the right to work/study in the UK.
- Conducting checks or verifications (for example DBS) depending on the nature of your research.
- Providing you with an email address identifying you, using it to contact you, and enabling you to use it to carry out your role.
- Administering payment of stipends and other payments.
- Providing and managing training, development and progression.
- Managing requests for leave, including special leave and parental leave, and managing sickness and absence.

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- Providing access to buildings and managing security. Your photograph is used on your ID card for identification and security.
- Providing access to relevant systems and services, such as IT systems and Library resources.
- Administering internships and sharing some personal data with the organisation hosting the internship.
- Monitoring your attendance, if required for UK Visa and Immigration or student loans.
- Ensuring your health and safety, for example carrying out display screen equipment checks, referring you to occupational health where relevant, and monitoring of training, equipment and exposure to hazardous substances.

A3.5.6 Activities we have a legitimate interest in carrying out:

- We collect personal data as part of research project planning, budgeting, and reporting.
- We provide wellbeing and support services, including Travel services and activities to minimise disruption when travelling. Our travel booking provider keeps emergency contact details, details of prescription medication and health conditions to help resolve difficulties when travelling on OU business.
- We provide communications about University news and events.
- We carry out activities to provide a safe environment, maintain security, and prevent and detect crime:
  - Administration of The Open University's CCTV system, to provide a safe environment and facilitate the prevention and detection of crime.
  - Vehicle registrations are used, if provided to the OU, to manage car parking and security.
  - To monitor use of IT services and ensure network and information security.
- We carry out some activities manage to our operations effectively:
  - We log OU assets and equipment provided to you.
  - We test and maintain our systems to ensure robust performance.

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A3.5.7 We share data with a number of organisations for specific purposes.

Disclosure to	Details	Basis for transfer
Higher Education statistics Agency (HESA)	Some information will be sent to the HESA for statistical analysis and to allow government agencies to carry out their statutory functions. You are advised to refer to the <a href="#">HESA staff collection notice</a> for further details	Public task
Home Office, UK Visas and Immigration	Will share information about attendance in order to fulfil the University's obligations as a visa sponsor	Legal obligation
Disclosure and Barring Service (DBS)	Required for certain sensitive posts to assess applicant's suitability for positions of trust. See <a href="#">Policy on the recruitment of ex offenders</a>	Legitimate interest; (employment and social protection legislation)
The Higher Education Funding Council for England (HEFCE)	Data submitted for the Research Excellence Framework (REF), and potentially the Teaching Excellence Framework (TEF)	Public task
Research funding bodies, Affiliated Research Centres, Doctoral Training Partners and Research Degree Student Partnerships	Names and details of expenditure, i.e. salary levels, contracts, to ensure compliance with funding contracts.  For Research Councils we input data to their system which provides electronic grant services  Provision of CVs to identify the kind of individual who may be employed on a research project, as part of a bid	Contract   Legitimate interest in successfully bidding
Prospective employers	References will be provided on request	Legitimate interest in fulfilling expectation of PGR students
External research organisation/ universities	We may share information about you with a prospective research partner, e.g. if you wish to use another organisation's facilities, or your supervisor has identified a useful organisation for	Public task of undertaking academic research

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	you to work with. This may require some data being sent outside the EEA	
HM Revenues & Customs (HMRC)	Real Time Information released to HM Revenue & Customs (HMRC) in order to collect Income Tax and National Insurance contributions (NICs) from employees.	Legal obligation
Training partners	Sharing of student needs and development plans with partners including Doctoral Training Partners, Centres for Doctoral Training and Innovative Training Networks	Either necessary for the contract, or where this is not the case, public task
Display screen assessment and occupational health suppliers	We will share your data with some third parties to ensure your health and safety, for example carrying out display screen equipment checks, referring you to occupational health where relevant, and monitoring of training, equipment and exposure to hazardous substances.	Contract/consent

A3.5.8 You are likely to share your name, and potentially your contact details, with individuals you are in contact with, which may include contacts external to The Open University. This is in order to facilitate your work.

A3.5.9 You may put certain data in the public domain, in order to fulfil funder requirements, and to build your academic profile. For example, your ORCID (unique ID), your publications (e.g. in ORO), and your contact details. In certain cases this will be necessary for your contract as a PGR student.

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## A3.6 Young Applicants in Schools Scheme

A3.6.1 We will share your data (specifically your engagement and progress data) with the named contact in your school (your school coordinator) in order to provide targeted and specific support. This is part of your contract to study with us.

A3.6.2 The following activities occur as part of our public task in delivering higher education qualifications:

We will use your personal data to send targeted SMS prompts about your study directly to your mobile phone.

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We share YASS students' data with UCAS for longitudinal tracking.

We share data with Scottish Government's [senior phase bench marking tool](#), Insight. For more information you can visit

<https://www.gov.scot/Topics/Statistics/ScotXed/PrivacyInformation>

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### **A3.7 Microcredentials**

A3.7.1 The Open University is the data controller for personal data we process for your OU microcredential, delivered on FutureLearn. FutureLearn is also a data controller for your FutureLearn profile - please see the FutureLearn privacy policy for more details.

As part of the registration process when registering onto a microcredential, your data will be used to create a Learner record on OU systems. If you have an existing OU record, the contact details you provide when registering for your microcredential will be used, and any contact details on your pre-existing OU record will be updated.

These activities are necessary for your contract to study with The Open University.

A3.7.2 Some of our microcredentials are created in collaboration with partner organisations. The Open University may share some learner data with them. The OU will communicate with learners regarding what data is shared with partner organisations, or it will be included in your microcredential course content.

Some microcredentials courses involve additional data collection or specific data sharing arrangements.

#### **A3.7.3 TZFM201 Digital Photography: Exploring Genres and Visual Storytelling**

The OU partners with the Royal Photographic Society (RPS) for this course. We therefore share some student information with them so they can identify their members and contact them. We also share feedback about the course with RPS. Where we do this, we include your details to enable them to identify RPS members.

If you are a member of the RPS, they may then choose to get in touch with you to discuss your feedback further.

Finally, we also provide RPS with a sample of assignments (images and documents) including student personal identifiers (PI), and the result achieved. This is part of our academic quality assurance checks. If you have included your name or any other personal details within assignment documents, then these will also be passed to RPS.

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If RPS or the OU wish to use any of your images for any reason, then we will contact you to ask for consent for this.

Our lawful basis for these activities is that they are part of our public task of delivering Higher Education qualifications; or they are in the legitimate interest of the OU and the RPS.

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## **A3.8 Students in secure environments**

### **Activities which are part of our public task in delivering higher education qualifications**

A3.8.1 We will correspond with you via staff in your secure establishment in order to provide information about study options and advice and guidance.

### **Activities which are necessary for your contract to study with us, and which we have a legal obligation to carry out:**

A3.8.2 We will collect your personal data in the form we receive from your secure establishment confirming what you are intending to study. Information we receive includes your name, secure establishment address, secure establishment nominated staff contact details, date of birth, gender, disability information, module choice, funding options, etc.

A3.8.3 All communications regarding study support and administration will take place via secure establishment staff. We may engage in correspondence about your study options, about reasonable adjustments for study etc. If you require an individual to act on your behalf, then we would manage this via the advocacy process.

A3.8.4 For students who are in prisons in Scotland, Fife College work in partnership with the Scottish Prison Service to provide education services. All communications will therefore take place via Fife College staff.

A3.8.5 We will create a risk assessment or identification of needs relating to your study and will then use this to restrict access to particular services, where required. This is in order to ensure we are enabling compliance with any restrictions, to prevent crime, and to protect our staff and students under the Health and Safety at Work Act and safeguarding legislation, for example the Safeguarding Vulnerable Groups act 2006.

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A3.8.6 We share data with:

- HMPPS or other criminal justice agency and individual secure establishments about students registered or enrolled with us, or those who are enquiring about studying with the OU from a secure establishment.
- The Prisoner Education Trust (PET) about student registrations, enrolments and progression.
- The prison education providers (PEF Providers) about which students are registered in their prisons.
- Higher Education Access Board (HEAB) for HEAB applicants and relevant Fife College staff, about individual student progress and module results (via consent).
- The scholarship funding body, if you are funded through a scholarship.

A3.8.7 If you leave a secure establishment and wish to continue your study, you will need to give us details about your probation officer or relevant agency (e.g. Police, Social Worker, Occupational Therapist), licence expiry date, and any licence or other restrictions that impact on study. This will be via a risk assessment or self-declaration form. We will contact your probation officer and ask them to complete a risk assessment. We will use this to restrict access to particular services, where required.

A3.8.8 We keep student information according to our retention schedule. Risk assessment information is retained for six years from the risk assessment expiry date unless there is a valid reason to retain it for longer, for examples continuing studies or extended licence conditions.

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### **A3.9 Students subject to a HMPPS licence, Court Imposed Order or similar condition or restriction**

A3.9.1 If you are currently, or become, subject to an HM Prison and Probation Service (HMPPS, or other criminal justice agency) licence, Court Imposed Order or similar relevant condition/restriction imposed by a court or by an authorised body which may prevent you from fully engaging with your course and the wider OU community, then you must make us aware immediately of this.

A3.9.2 If you declare a conviction, we will ask you to complete a self-declaration form. This will determine whether we need to complete a risk assessment.

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If necessary, we will create a risk assessment relating to your study based on the information you have provided us with, and we will liaise with your reporting agency. This may be the Probation Service, Social Worker the Police or relevant contact (e.g. Occupational Therapist), depending on the offence or convictions. We will use the risk assessment to restrict your access to services, where required. This is to ensure we are enabling compliance with any restrictions, to prevent crime, and to protect our staff and students under the Health and Safety at Work Act and safeguarding legislation, for example the Safeguarding Vulnerable Groups act 2006.

A3.9.3 We keep student information (including self-declaration forms) according to our retention schedule. Risk assessment information is retained for six years from the risk assessment expiry date unless there is a valid reason to retain it for longer, for examples continuing studies or extended licence conditions.

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### **A3.10 Students studying through The Open College of the Arts**

A3.10.1 The Open College of the Arts (OCA) is part of the OU Group. If you register for study with OCA, we will process personal data shared with us by OCA so that we can provide you with services. We also send some of your data to the Higher Education Statistics Agency (HESA) and other English, Irish, Welsh and Scottish regulatory and government bodies for monitoring and reporting purposes on behalf of OCA. This is part of our public task of delivering higher education qualifications.

A3.10.2 If you study through OCA, library services will be provided by The Open University. We will create a record in your name to enable us to give you access to the library. This is part of our public task of delivering higher education qualifications.

A3.10.3 If you have let OCA know about a health condition or disability, this information will be collected with your consent and shared with us to inform the provision of reasonable adjustments and other provisions for your study. We also share this information with the Higher Education Statistics Agency (HESA) in accordance with our public task and as described in paragraph A3.5.7.

A3.10.4 If you have let OCA know about a criminal conviction or that you are subject to a HMPPS licence, Court Imposed Order or similar condition or restriction, this information will be shared with us along with information about any restrictions that impact on study. We use this information in accordance with the Data Protection Act 2018 conditions relating to criminal convictions.

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### **A3.11 Students studying through a collaborative provision arrangement**

A3.11.1 We receive your application and personal details from your college or Further Education (FE) provider (referred to as a 'partner institution' in the Conditions of Registration (Collaborative Provision)) and process your information in accordance with section 2 of this document. We will use the information provided to let you and your college or FE provider know once your registration to study with us is confirmed. Further information about how we use your personal information can be found in Appendix 1.

A3.11.2 During your study, we may share information with your college or FE provider if required in an emergency because of concerns about your welfare or the welfare of others (safeguarding) or in response to a safeguarding concern or incident involving an individual associated with the Collaborative Provision Arrangement that results in a serious allegation and/or investigation being raised. This is described in Appendix 2 and is part of our public task of providing higher education.

A3.11.3 In order to fulfil The Open University's Prevent duty to report concerns that a staff member or student are at risk of being drawn into terrorism, we may share information with your college or FE provider if a Prevent referral is made in relation to an individual associated with the Collaborative Provision Arrangement.

A3.11.4 If you make a complaint relating to your learning with the University, we will share information with your college and may collect information from the college that is relevant to the complaint. This is part of our public task of providing higher education.

A3.11.5 If you withdraw or are withdrawn from the programme of study we will notify your college or FE provider that you are no longer registered with The Open University.

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