

## University of Birmingham Guild of Students' Privacy Policy

### 1. Statement of Policy – introduction & the Data Protection Act (1998)

The University of Birmingham Guild of Students is fully committed to compliance with the requirements of the Data Protection Act 1998 which came into force on 1<sup>st</sup> March 2000. It is also preparing to comply with the General Data Protection Regulation which will apply from 25 May 2018.

The Guild of Students will therefore follow procedures which aim to ensure that all members, elected officers, employees, contractors, agents, consultants, or other partners of the Guild of Students who have access to any personal data held by or on behalf of the Guild of Students, are fully aware of and abide by their duties under the Data Protection Act 1998.

In order to operate efficiently, the Guild of Students has to collect and use information about people with whom it works. These may include members of the Guild of Students, current, past and prospective employees, clients and customers, and suppliers. In addition it may be required by law to collect and use information in order to comply with the requirements of central government.

This personal information must be handled and dealt with properly, however it is collected, recorded and used, and whether it be on paper, in computer records or recorded by any other means, and there are safeguards within the Act to ensure this.

The Guild of Students regards the lawful and correct treatment of personal information as very important to its successful operations and to maintaining confidence between the Guild of Students and those with whom it carries out business. The Guild of Students will ensure that it treats personal information lawfully and correctly.

To this end the Guild of Students fully endorses and adheres to the principles of Data Protection as set out in the Data Protection Act 1998.

### The Principles of Data Protection

The Act stipulates that anyone processing personal data must comply with **Eight Principles** of good practice. These Principles are legally enforceable.

The Principles require that personal information:

- Shall be processed fairly and lawfully and in particular, shall not be processed unless specific conditions are met;
- Shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes;
- Shall be adequate, relevant and not excessive in relation to the purpose or purposes for which it is processed;

- Shall be accurate and where necessary, kept up to date;
- Shall not be kept for longer than is necessary for that purpose or those purposes;
- Shall be processed in accordance with the rights of data subjects under the Act;
- Shall be kept secure i.e. protected by an appropriate degree of security;
- Shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection.

The Act provides conditions for the processing of any personal data. It also makes a distinction between **personal data** and **“sensitive” personal data**.

Personal data is defined as, data relating to a living individual who can be identified from:

- that data; or
- that data and other information which is in the possession of, or is likely to come into the possession of the data controller

and includes an expression of opinion about the individual and any indication of the intentions of the data controller, or any other person in respect of the individual.

Sensitive personal data is defined as personal data consisting of information as to:

- racial or ethnic origin;
- political opinion;
- religious or other beliefs;
- trade union membership;
- physical or mental health or condition;
- sexual life;
- criminal proceedings, offences or alleged offences.

### Handling of Personal/Sensitive Information

The Guild of Students will, through appropriate management and the use of strict criteria and controls;

- Observe fully conditions regarding the fair collection and use of personal information;
- Meet its legal obligations to specify the purpose for which information is used;
- Collect and process appropriate information and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- Ensure the quality of information used;
- Apply strict checks to determine the length of time information is held;
- Take appropriate technical and organisational security measures to safeguard personal information;
- Ensure that personal information is not transferred abroad without suitable safeguards;
- Ensure that the rights of people about whom the information is held can be fully exercised under the Act.

These include:

- The right to be informed that processing is being undertaken;
- The right of access to one's personal information within the statutory 40 days (one month from 25 May 2018);
- The right to prevent processing in certain circumstances; and
- The right to correct, rectify, block or erase information regarded as wrong information.

### Lawful Bases for Processing Information

The General Data Protection Regulation requires the Guild of Students to inform members of the lawful bases for processing members' information. These are one of the following:

- Consent of the data subject;
- Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract;
- Processing is necessary for compliance with a legal obligation;
- Processing is necessary to protect the vital interests of a data subject or another person.

### Conditions for special categories of data

- Explicit consent of the data subject, unless reliance on consent is prohibited by EU or Member State law
- Processing is necessary for carrying out obligations under employment, social security or social protection law, or a collective agreement
- Processing carried out by a not-for-profit body with a political, philosophical, religious or trade union aim provided the processing relates only to members or former members (or those who have regular contact with it in connection with those purposes) and provided there is no disclosure to a third party without consent
- Processing relates to personal data manifestly made public by the data subject
- Processing is necessary for the establishment, exercise or defence of legal claims or where courts are acting in their judicial capacity
- Processing is necessary for the purposes of preventative or occupational medicine, for assessing the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or management of health or social care systems and services on the basis of Union or Member State law or a contract with a health professional
- Consent of the data subject
- Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract.

## 2. How the Guild of Students uses your information

The Guild of Students processes personal information to enable us to provide a range of services to our members (students at the University of Birmingham) which may include: administering membership records; providing and organising activities for union members; promoting our services; maintaining accounts and records; providing housing and accommodation services such as letting, renting and leasing properties; and supporting and managing our employees and volunteers.

This Privacy Statement explains how and when University of Birmingham Guild of Students collects personal information. It applies to information we collect and process about:

- Members
- Enquirers, complainants
- Employees
- Volunteers
- Trustees
- Tenants
- Landlords
- Survey respondents
- Suppliers and service providers
- Individuals captured by CCTV images

### 3. Website Privacy

Our website Privacy Policy discloses the information practices for the University of Birmingham Guild of Students website (guildofstudents.com), including the type of information gathered, how the information is used, and our policy regarding sharing information with others/organisations.

By using guildofstudents.com, you agree to the terms of this Privacy Policy.

The site also acts as its data management system to allow students (members) to participate in range of activities associated with your membership – such as voting in elections and referenda, joining student groups and societies, purchasing Guild products such as event tickets, and attending Guild meetings.

#### a. Cookies - What are they, and how do we use them?

Cookies are small text files that are sent to and stored on your web browser, smartphone or other device to allow you to store specific information that can be used to improve the user experience on a website. You should note that cookies can not read data off of your hard drive. Further information about cookies (including how to disable them) can be found on [allaboutcookies.org](http://allaboutcookies.org).

We use cookies on our site to improve the user experience, and to gather general statistics about the users of our services (not user specific). Among other things, cookies allow you to log on to our service. This Cookie Policy gives a background of what cookies are, how we use them and how they benefit you.

#### i. What types of cookies are there?

You will encounter the following cookies:

- First party cookies: First party cookies are set by the website you are visiting and they can only be read by that site.
- Third party cookies: Third party cookies are set by a different organisation to the owner of the website you are visiting. For example, the website might use a third party analytics company who will set their own cookie to perform this service. The website you are visiting may also contain content embedded from, for example YouTube or Flickr, and these sites may set their own cookies.

- Session cookies: Session Cookies are stored only temporarily during a browsing session and are deleted from the user's device when the browser is closed. We use these to allow you to login to the website.
- Persistent cookies: This type of cookie is saved on your computer for a fixed period (usually a year or longer) and is not deleted when the browser is closed. Persistent cookies are used where we need to know who you are for more than one browsing session. For example, we use this type of cookie to store your preferences, so that they are remembered for the next visit.

**ii. What cookies do we use?**

The Cookies on this website consist of:

- Session cookies which help with form filling, remembering the information input when navigating between pages. These are destroyed when browser window is closed.
- Google Analytics cookies for monitoring website usage.

Name of cookie	What does it do?	Type
PHPSESSID	This is a session cookie that allows you to login to the website, you need this enabled to use our services	Session Cookie
_utmz _utma _utmb	This is a 3rd party tracking cookie for google analytics that allows us to obtain overall website usage statistics	3rd Party Cookie
SmartMaxUser	This is a tracking cookie that allows us to identify your previous live chat history when you have interacted with us	Persistent Cookie
SmartMaxSession	This is a session cookie that allows you to use the sightmax live operator service, this needs to be enabled to use this service	Session Cookie

**iii. How you can manage your cookies?**

Please review the following site for advice on how to manage cookies on your browser: [allaboutcookies.org](http://allaboutcookies.org). Some pages on [guildofstudents.com](http://guildofstudents.com) use "cookies," which are small files that the site places on your hard drive for identification purposes. These files may be used for site registration and customisation the next time you visit us, and to make navigating the website more user-friendly.

Your web browser may allow you to be notified when you are receiving a cookie, giving you the choice to accept it or not. By not accepting cookies, some pages may not fully function and you may find it harder to access certain information on this site.

**b. Types of information collected**

**i. Personal Information**

If you are a student at the University of Birmingham, when you register as a student (on completion of the University Registration process), you will automatically become a member of the Guild of Students. You can view the [Code of Practice pursuant to the requirements of the Education Act 1994](#) for more information about the University's relationship with the Guild. The University then provides the Guild with your name, gender, date of birth, nationality, residency for fees (home/EU or overseas), student ID number, term-time addresses, home addresses, programme title and whether undergraduate or postgraduate, mode of study (full-time, part-time, distance learning etc), School, year, University email contact details and whether you have dependents.

When you register with the University, the personal information above is automatically shared with the Guild and your data is registered with the Guild of Students. The Guild will use this information to contact you and so that you can participate in a range of activities as a member of the Guild including: voting in elections and referenda, attending Guild meetings, joining student groups and societies and purchasing Guild products such as event tickets.

The Guild would also like to use your personal data to send you information about activities and events that may be of interest to you. The Guild will contact you separately to ask for your consent in relation to this and to enable you to update your communication preferences.

If you do not wish to be a member of the Guild, you should contact the President of the Guild via ([president@guild.bham.ac.uk](mailto:president@guild.bham.ac.uk)), in which case your data will be removed and you will cease to be a member of the Guild. This means that you will no longer be able to participate in activities associated with your membership such as those outlined above.

Your details will be held by University of Birmingham Guild of Students in its membership database/data management system, unless you have opted out of Guild membership (via the process outlined above). The details held are the details provided to the University of Birmingham within the registration process.

The Guild of Students cannot be held responsible for any inaccurate personal details provided to the University of Birmingham.

We gather both Personal Information and Anonymous Information from you when you visit the Site. "Personal Information" means any information that may be used to identify you as an individual, and includes, from the personal information above: name (first and last); email address, and address. "Anonymous Information" means information that is not associated with or linked to your Personal Information; and does not permit or allow the identification of individual persons.

The Guild of Students, via the site collects Personal Information and Anonymous Information, as described below.

Personal Information is collected whilst using the site from you at the following points:

- If you are not a University of Birmingham student and register to the Site as a 'guest' to purchase goods or services, we will record your contact information, username and password.
- If you are a registered student at the University of Birmingham, you will use your University log credentials to access the site. Your password is not stored on the site/guildofstudents.com or by University of Birmingham Guild of Students in any form.
- If you are due to become a registered University Student in 2017, but have not completed the University Registration process, you can register to the site as a 'Fresher' to purchase goods and services, we will record your contact details and some personal information (such as where you will be living/your Hall of Residence), your username and password. When you officially become a

University of Birmingham student and complete the registration process your Fresher account will cease to exist, and your purchasing history data will be migrated to your registered student account. Your temporary password and username will be removed at this point and you will use your University log credentials to access the site.

- If you make any purchases through the Site, the site will record your billing address, However, it will not record your payment card details. This information is collected through Sage Pay, our online payment provider. No card payment details are stored through or on the Site directly.

The University of Birmingham Guild of Students will only send you information that is deemed relevant to your membership of the Guild of Students. When contacted by the Guild you are able to update your communication preferences – which includes addition information you would like to receive about wider events and activities which may be of interest to you – and thereby provide consent to be contacted with relevant promotions, offers or information that you have expressed an interest in (in addition to information directly linked to your membership).

If you do not wish to receive further updates and wish to opt out go to [guildofstudents.com/profile/](http://guildofstudents.com/profile/) or if you are logged in, go to the Profile icon within the left hand menu and modify your preferences or contact details.

## **ii. Information Collected Automatically**

As you navigate the site, certain information will be collected automatically. This data helps us to improve the content of the Site and to customise the content or layout of the Site for you.

A cookie is an element of data that a website sends to your computer's hard drive while you are viewing a website. The University of Birmingham Guild of Students' uses session cookies (which expire once you close your web browser). You can set your browser to notify you when you receive a cookie, giving you the chance to decide whether to accept it. You can also set your browser to turn off cookies. If you do so, however, some areas of the site may not function properly. For further information on our use of cookies please see section 3a above.

## **iii. How else we might use your personal information**

We collect Personal Information from you in order to fulfil your requests. For example, we may use your Personal Information to process an online purchase or interact with a service or feature on the Site. We may also use your Personal Information to send you information that you requested, or to confirm registrations, purchases, or to respond to your feedback.

We may use your email address to notify you of products or services that may interest you, such as events or activities. In addition we may notify you of recent updates to our Site, or to provide you with latest news on University of Birmingham Guild of Students.

## **iv. Opt-out**

You may opt-out from receiving promotional or marketing emails by notifying us at the address specified at the bottom of any unwanted email. Emails may be sent to you from University of Birmingham Guild of Students or from its societies, clubs or other student groups affiliated to University of Birmingham Guild of Students (if you have joined a group and are therefore a member of that group). If you unsubscribe from a

University of Birmingham Guild of Students email, you may still receive emails from these affiliated groups and vice versa.

In some cases the opt-out facility is not available unless you have opted out of Guild of Students' membership completely. These instances include: transactional or relationship messages, such as those that are necessary to provide you with confirmation of a completed transaction (such as a purchase, request, or change in your user profile); emails providing notification of changes of terms of service; or those providing information related to your membership such as notice for General meetings, elections, or referenda.

**v. Anonymous records**

We may create Anonymous Information records from site activity and personal Information by excluding information (such as your name) that makes the information personally identifiable to you. We use this Anonymous Information to perform statistical analyses of users' aggregated behaviour so that we may enhance the content of our services and improve Site navigation.

**vi. Market Research**

We may email you for research purposes relating to your membership of University of Birmingham Guild of Students based on anonymous information you have already provided through completion of questionnaires or polls; we may also email you to ask you to take part in research activity such as completing surveys, and inviting you to attend focus groups. This information is only gathered for reasons associated with improving services to our members and anonymous data/information is only accessed by employees of University of Birmingham Guild of Students.

**iv. Internet traffic/monitoring**

When someone visits guildofstudents.com, we collect standard internet log information and details of visitor behaviour patterns. We do this to measure data such as the number of visitors to the various parts of our Site. We collect this information in a way which does not identify anyone. We do not make any attempt to find out the identities of those visiting our website. We also use Google analytics, which provides anonymous information such as the type of device you are using to access the site, and other information such as age range and interests, which Google collects from your internet activity. We use this information to improve the user experience, and to gather general statistics about the users of our services (not user specific).

**c. Disclosure of Personal Information**

Your Personal Information will not be sold, traded, or rented to individuals or other entities. However, we may need to share your Personal Information with third parties to charge your credit card or deliver specific services to you such as support services. These third parties are required not to use your Personal Information other than to provide the services requested by University of Birmingham Guild of Students.

We may disclose your Personal Information if we believe in good faith that such disclosure is necessary to:

- comply with any relevant legal obligations or;
- protect and defend the rights or property of University of Birmingham Guild of Students or users of the Site.

**d. Data Sharing with the University of Birmingham**

The University of Birmingham Guild of Students' has a data sharing agreement with the University of Birmingham.

This agreement permits the transfer of your personal information listed previously from the University of Birmingham to the University of Birmingham Guild of Students, so that you can participate in a range of activities as a member of the Guild including: voting in elections and referenda, attending Guild meetings, joining student groups and societies and purchasing Guild products such as event tickets.

You can opt out of this agreement and Guild membership by contacting the President of the Guild via (president@guild.bham.ac.uk), in which case your data will be removed and you will cease to be a member of the Guild. This means that you will no longer be able to participate in activities associated with your membership such as those outlined above.

We may, on request, provide anonymous data to the University relating to extra-curricular activities such as the number of volunteers, student group members or the percentage of members voting in an election. This data is not personally identifiable to you.

We will on occasion wish to provide Personal Information to the University of Birmingham. This includes activities you may have taken part in with University of Birmingham Guild of Students that should be transferred onto your University transcript. We will always ask your permission and seek your consent before we share your Personal Information in this way. For more information on enhanced transcripts, click here: <https://www.guildofstudents.com/enhancedtranscript/>

**e. Retention of Your Personal Information**

We will generally keep your information only for the period of your membership of the Guild and will then delete it. However, if you use Guild Advice and other support services, such as the Student Mentor Scheme, we shall keep your personal information in relation to your use of such services for a period of 6 years from your use of the service.

**f. Security of Your Personal Information**

We safeguard the Personal Information you send to us with certain physical, electronic, and managerial procedures.

We also store your Personal Information behind our firewall and utilise appropriate security measures in our physical facilities to prevent loss or unauthorised use of sensitive information. Except as provided elsewhere in this Privacy Policy, we limit access to Personal Information in electronic databases to those persons, including University of Birmingham Guild of Students employees, in our organisation who have a need for such access.

While we strive to protect your Personal Information, we cannot ensure the security of the information you send to us, and so we urge you to take every precaution to protect your Personal Information when you are on the internet. We suggest that you change your passwords often, use passwords that include a combination of letters and numbers, and use a secure browser. Products and services are available which can help give you privacy protection while navigating the internet. While we do not anticipate breaches in security, if one occurs, we will use all reasonable efforts to correct the problems that led to the breach and we will report it to the Information Commissioner as required under data protection law.

#### **g. Other Websites**

The Site contains links to other websites. We are not responsible for the content, accuracy or opinions expressed in such websites, and such websites are not investigated, monitored or checked for accuracy or completeness by the Guild of Students.

Inclusion of any linked website on or through the Site or the Service does not imply approval or endorsement of the linked website by us. If you decide to leave the Site and access these third-party websites, you do so at your own risk.

#### **4. Job applicants and current and former Trustees and employees of the University of Birmingham Guild of Students and Guild Services Limited**

When individuals apply to work or be a trustee at University of Birmingham Guild of Students, or Guild Services Limited we will only use the information they supply to us to process their application and to monitor recruitment statistics.

Where we want to disclose information to a third-party, for example where we want to take up a reference or carry out a Disclosure and Barring Service Check, we will not do so without informing applicants beforehand unless the disclosure is required by law.

Personal Information about unsuccessful candidates will be held for 6 months after the recruitment exercise has been completed; it will then be destroyed or deleted. We retain de-personalised statistical information about applicants to help inform our recruitment activities, but no individuals are identifiable from that data. Once a person has taken up employment with University of Birmingham Guild of Students or Guild Services Limited, we will compile a file relating to their employment. The information contained in this will be kept secure and will only be used for purposes directly relevant to that person's employment. Once their employment with University of Birmingham Guild of Students or Guild Services Limited has ended, we will retain the file for 7 years and then destroy it. Trustee information will be collated and kept in the same way.

#### **5. Access to personal information & Subject Access Requests**

Individuals can find out if we hold any Personal Information by making a 'subject access request' under the Data Protection Act 1998. If we do hold information about you we will:

- give you a description of it;
- tell you why we are holding it;
- tell you who it could be disclosed to; and
- let you have a copy of the information in an intelligible form.

To make a request to University of Birmingham Guild of Students for any Personal Information we may hold you need to put the request in writing to the address provided below.

*Via email to:*

[staffing@guild.bham.ac.uk](mailto:staffing@guild.bham.ac.uk)

Via post to:

HR & Administration Department  
University of Birmingham Guild of Students  
Edgbaston Park Road  
Edgbaston  
Birmingham  
B15 2TU

In some cases, where the compilation of data is considered by University of Birmingham Guild of Students to be complex or time consuming we will make an administrative charge of £10. After 25 May 2018 will be no charge unless the request is manifestly unfounded or excessive. The Data Protection Act requires us to provide information to you within 40 days (one month after 25 May 2018).

If you agree, we will try to deal with your request informally, for example by providing you with the specific information you need over the telephone, subject to verification of identity.

## 6. About this Notice

For clarity, this Privacy Notice does not provide exhaustive detail of all aspects of University of Birmingham Guild of Students' collection and use of personal information. However, we are happy to provide any additional information or explanation needed. Any requests for this should be sent to: [staffing@guild.bham.ac.uk](mailto:staffing@guild.bham.ac.uk)

## 7. Further Information and Complaints

We are committed to dealing with your data lawfully. If you have any questions or complaints about how we handle your personal data please contact: [complaints@guild.bham.ac.uk](mailto:complaints@guild.bham.ac.uk). You also have the right to complain to the Information Commissioner if you think there is a problem with how we handle your data. For further guidance on matters relating to Data Protection and Privacy, please refer to Information Commissioner's Office: [www.ico.gov.uk](http://www.ico.gov.uk)