

The Robert Gordon University Student Association

## GDPR Privacy Statement

Last updated	11 <sup>th</sup> June 2018
Approved by Trustee Board	27 <sup>th</sup> July 2018

### Definitions

<b>GDPR</b>	The General Data Protection Regulation
<b>Responsible Person</b>	Michele Collie, General Manager ( <a href="mailto:m.collie@rgu.ac.uk">m.collie@rgu.ac.uk</a> )
<b>Data Retention Guide</b>	A register of all systems or contexts in which personal data is processed by RGU:Union
<b>Data Subject</b>	A natural person whose personal data is processed by a controller or processor

### Key contacts

<b>Data Controller</b>	Michele Collie, General Manager ( <a href="mailto:m.collie@rgu.ac.uk">m.collie@rgu.ac.uk</a> )
<b>Representatives</b>	<p>Gregor Mailer, Design &amp; Marketing Manager (<a href="mailto:ext.mailer@rgu.ac.uk">ext.mailer@rgu.ac.uk</a>)</p> <p>Stephen Fiddes, Student Advice &amp; Administration Coordinator (<a href="mailto:s.j.fiddes@rgu.ac.uk">s.j.fiddes@rgu.ac.uk</a>)</p>

## 1. Introduction to the Privacy Statement

The General Data Protection Regulation (GDPR), a European Union-wide law that was introduced on 25<sup>th</sup> May 2018, and the Data Protection Act 2018, supersede the Data Protection Act 1998 in the UK, giving more rights to you as an individual and more obligations to organisations holding your personal data. One of your rights is to be informed, which means we are required to give you more information about the way in which we use, share and store your personal data.

a. Personal data is any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier, such as a name, a number, an IP address or a cookie identifier. If it is possible to identify an individual directly from the information being processed, then that information may be personal data.

b. In this Privacy Statement and the accompanying Data Retention Guides, reference is made to “special categories of personal data”. The GDPR defines special categories of personal data as data which reveals “racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership...biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation”.

We (Robert Gordon University Student Association, thereafter ‘RGU:Union’) are an independent student-led organisation which exists to represent, engage, support and develop all members. We are registered with the Information Commissioner’s Office, with Registration Number Z704126X.

This statement and the accompanying Member Data Retention Guide and Employee Data Retention Guide cover the following obligations as defined by the GDPR:

- How RGU:Union collects your data
- How RGU:Union records your data
- How RGU:Union uses your data
- How RGU:Union retrieves your data
- How RGU:Union stores your data, including period of retention
- How RGU:Union discloses your data, where relevant
- Our legal basis for processing your data
- Your rights and how you can access, amend and delete your personal data.

## 2. Data protection principles

RGU:Union is committed to processing personal data in accordance with its responsibilities under the GDPR. The principles of the GDPR can be accessed here:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/principles/>

### 3. General provisions

- a. This policy applies to all personal data processed by RGU:Union.
- b. The Responsible Person shall take responsibility for RGU:Union's ongoing compliance with this policy.
- c. This policy shall be reviewed at least annually (see "Changes to this privacy statement" section below).
- d. RGU:Union is registered with the Information Commissioner's Office as an organisation that processes personal data.

### 4. Lawful, fair and transparent processing

- a. The lawful bases for processing are set out in Article 6 of the GDPR. At least one of these must apply whenever we process your personal data. We process data under the following lawful bases:
  - Consent: the individual has given clear consent for you to process their personal data for a specific purpose.
  - Contract: the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
  - Legal obligation: the processing is necessary for you to comply with the law (not including contractual obligations).
  - Legitimate interests: the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

For more information on the lawful basis on which we process personal data in particular instances, see our Member Privacy Notice/Data Retention Guide and Employee Privacy Notice/Data Retention Guide.

- b. To ensure processing of data is lawful, fair and transparent, the charity shall maintain a Data Retention Guide.
- c. The Data Retention Guide shall be reviewed at least annually.
- d. Individuals have the right to access their personal data and any such requests made to the charity shall be dealt with in a timely manner (see "Your Rights" section below).
- e. RGU:Union processes special categories of personal data only when the data subject has given explicit consent, or when the processing is necessary for the purposes of exercising the employment law rights or obligations of RGU:Union or the data subject. Employees and volunteers must seek authorisation from the Controller before processing special categories of personal data.
- f. When determining whether "legitimate interests" is the most appropriate basis for lawful processing data, we will:
  - Conduct a legitimate interests' assessment (LIA) and keep a record of it, to ensure that we can justify our decision; (a LIA is a process whereby you establish why we have selected Legitimate Interest as the basis for processing your information; the Information Commissioner's Office sets out three elements to this process 1) identify a legitimate interest; 2) show that the processing is necessary to achieve it; and 3) balance it against the individual's interests, rights and freedoms)
  - Keep the LIA under review, and repeat it if circumstances change; and
  - Include information about our legitimate interests in our relevant privacy notice(s).

### 5. What information we collect about you

As a part of our service, RGU:Union will collect and store information about you (your personal data). The documents below explain in what instances we will collect data, what data we will collect, why

we collect it, how long it is stored for and whether it is shared with any other parties:

- Member Data Retention Guide
- Employee Data Retention Guide

**Cookies**

We use cookies on our website to improve your user experience. They perform different tasks, such as remembering your preferences, helping you to access restricted pages (via user login), and remembering items that you place into your shopping basket.

*“A cookie is a small file downloaded on to a device when the user accesses certain websites. Cookies are then sent back to the originating website on each subsequent visit. Cookies are useful because they allow a website to recognise a user’s device.”* – Definition taken from “Guidance on the rules of cookie use and similar technologies” Information Commissioner’s Office, December 2011.

Cookies are either ‘session-based’ or ‘persistent’. Those that are ‘session-based’ are deleted every time you close your browser (IE, Chrome etc). ‘Persistent’ cookies last longer and have a defined expiration date.

Cookies used on this website are noted below. These have been defined by Membership Solutions Limited (MSL), our third party contracted web/membership services provided:

<b>ASP.NET_SessionID</b>	Stores a temporary unique identifier for your session. No other information is stored. This cookie is removed when you close your browser.	Expires on exit of browser
<b>ASPXAUTH</b>	When you are logged in, this cookie stores a value which identifies you to the site. This value is encrypted and can only be read by the server. If you use the ‘Remember Me’ function this cookie remains on your computer for 3 months, otherwise it is removed when you log out of the website.	Expires on exit of browser or 3 months (optional)

We also use Google Analytics, which allows us to gather basic details about our website visitors, for example location, which pages are accessed, and which browsers are being used. Google Analytics uses the following cookies:

<b>_ga</b>	Used to distinguish users	Expires after 2 years
<b>_gat</b>	Used to throttle request rate	Expires after 30 minutes
<b>_umta</b>	Used to capture and determine unique visitors and the frequency of views.	Expires after 2 years
<b>_utmb</b>	Used to establish and continue your session on the site. Each time you visit a page it is updated to expire in 30 minutes. It expires if you spend more than 30 minutes on a single page	Expires after 30 minutes
<b>_utmz</b>	Previously used to define a session status	Expires after 6 months
<b>_utmz</b>	Used to store the type of referral used to reach the site (eg, direct, link, web search etc)	Expires on exit of browser

Contact forms and online feedback processes featured on the RGU:Union website are operated by Wufoo, a subsidiary of SurveyMonkey. Cookies may be used to manage this process. You can find out more by viewing the SurveyMonkey privacy policy: [www.surveymonkey.com/mp/legal/privacy-policy/](http://www.surveymonkey.com/mp/legal/privacy-policy/).

Third party services used on the RGU:Union website such as videos, maps and social media may also use cookies. You can remove these cookies by altering the settings on your browser which is unlikely to chance your experience on our website. Please refer to the individual third party cookie policies for confirmation.

**When you use our digital services**

	<b>Retention Period</b>	<b>Sharing</b> (Is the data shared with or accessed by other parties?)	<b>Legal basis</b>
MSL User (individuals who register on our website, which is a content-management system provided by Membership Solutions Ltd)	Defined by user	MSL	Consent

**6. When we contact you**

When we send marketing communications by electronic means (e.g. email) we ensure that such marketing complies with the Privacy and Electronic Communications Regulations 2003. The following rules apply when sending electronic messages that contain marketing to personal email addresses:

- RGU:Union must have consent before making any kind of marketing approach by email
- This consent must have been given directly by the recipient to RGU:Union or its agents unless it is given by someone else in the first person, such as in the following form: “I would like to be kept updated about the Union’s activities...”.

**7. Lawful purposes**

- a. Where consent is relied upon as a lawful basis for processing data, evidence of opt-in consent shall be kept with the personal data. Any consent to be obtained by RGU:Union must be for a specific and defined purpose. General consent cannot be sought.
- b. Where communications are sent to individuals based on their consent, the option for the individual to revoke their consent should be clearly available and systems should be in place to ensure such revocation is reflected accurately in RGU:Union’s systems.
- c. A data subject wishing to withdraw consent to having their personal data processed should state this in an email to the Data Controller ([data@rguunion.co.uk](mailto:data@rguunion.co.uk)).

**8. Data minimisation**

RGU:Union shall ensure that personal data is adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

**9. Accuracy**

- a. RGU:Union shall take reasonable steps to ensure personal data is accurate.



- b. Where necessary for the lawful basis on which data is processed, steps shall be put in place to ensure that personal data is kept up to date.

## 10. Archiving

- a. To ensure that personal data is kept for no longer than necessary, RGU:Union shall put in place an archiving policy for each area in which personal data is processed and review this process annually.
- b. The archiving policy shall consider what data should/must be retained, for how long, and why. This will be documented in the Member Data Retention Guide and Employee Data Retention Guide. RGU:Union shall ensure that all personal data is archived and destroyed in accordance with the periods specified within the Data Retention Guides.

## 11. Data Storage and Security

- a. RGU:Union shall ensure that personal data is stored securely.
- b. If it is stored electronically, modern software that is kept-up-to-date will be used. Personal data stored electronically must also be protected from unauthorised use and access.
- c. If personal data is stored on paper it should be kept in a secure place where unauthorised individuals cannot access it. Employees and volunteers should make sure that no personal data is left where unauthorised individuals can access it. When the personal data is no longer required it must be securely disposed of by the employee or volunteer so as to ensure its destruction.
- d. Access to personal data shall be limited to personnel who need access and appropriate security should be in place to avoid unauthorised sharing of information.
- e. When personal data is deleted this should be done safely such that the data is irrecoverable.
- f. Appropriate back-up and disaster recovery solutions shall be in place.

## 12. Breach

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, RGU:Union shall promptly assess the risk to people's rights and freedoms and if appropriate report this breach to the ICO.

## 13. Your Rights

Under the General Data Protection Regulations, you have rights as an individual which you can exercise in relation to the information we hold about you. These rights are detailed on the Information Commissioner's Office website: <https://ico.org.uk/your-data-matters/>. If you wish for RGU:Union to remove all personal data it holds about you, please fill out this form ([insert link](#)) or phone the Data Controller (01224 262292).

## 15. Changes to this privacy statement

We keep our privacy statement under regular review. This privacy statement was last updated on 7<sup>th</sup> June 2018. You may wish to check it each time you submit personal information. If material changes are made to the Privacy Policy, for instance affecting how we would like to use your personal information, we will provide a more prominent notice. You can access this policy at any time through the link at the bottom of our website: [www.rguunion.co.uk](http://www.rguunion.co.uk).

## 16. How to contact us

RGU:Union tries to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading or inappropriate. We would also welcome any suggestions for improving our procedures. Alternatively, if you would like to report a concern to the Information Commissioner's Office (ICO) about how

RGU:Union handles your personal data, more information can be found on the ICO website: <https://ico.org.uk/concerns/handling/>.

This privacy notice was drafted with brevity and clarity in mind. It does not provide exhaustive detail of all aspects of our 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 the address below.

**Email us:** [m.collie@rgu.ac.uk](mailto:m.collie@rgu.ac.uk)

Telephone: 01224 262292

**Or write to:**

Data Protection

RGU Students' Union  
Union Way  
Garthdee Campus  
Garthdee Road  
Aberdeen AB10 7GE