



Data Processing Statement 2018-19

<p>This information takes effect for students first registering for programmes from 01 August 2018 onwards</p>
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Registration

Your school is one of eight legally autonomous institutions which form part of the Conservatoire for Dance and Drama ('Conservatoire'). As a student you must be registered with both your School and the Conservatoire.

There is a contractual relationship in place between yourself and your School for the provision of your course as set out in the student terms and conditions document ('School T&Cs'). As set out in the T&Cs, you are responsible for abiding not only by the School's regulations, policies and procedures, but also by any regulations, policies and procedures established by The Conservatoire and the Validating University which are applicable to your studies at your School, and paying your course fees (whether through self-funding or through a tuition fee loan).

The Conservatoire is a legally autonomous Higher Education institution which is accountable to the Office for Students ('OfS') (previously the Higher Education Funding Council for England ('HEFCE')) for the use of public funding by its constituent Schools for the provision of higher education, and is also accountable to the Office of the Independent Adjudicator for Higher Education ('OIAHE') and the Student Loans Company ('SLC') in connection with your studies. It processes your data in connection with these accountabilities and some other activities as set out in this Data Processing Statement ('DPS').

In order for your registration to be accepted, you must have met ALL of the following conditions: 1) accepted your offer of a place, 2) Met the conditions of your offer (both academic and financial), 3) Returned your School contract and this registration form, 4) Met all other conditions as set by your School.

You will need to have registered with the Conservatoire and your School in order to attend your course and release your loan from the UK SLC or your sponsor/awarding body (where appropriate).

Data Processing statement: information for students

The Conservatoire and your School are each a 'Data Controller' of your data, and each hold and otherwise process 'personal data' (which may include 'Special Categories of personal data') as defined in the GDPR about applicants and students which is provided to them by you (or which is otherwise received from third parties) for their own, separate purpose(s).

The Conservatoire is registered as a Data Controller with the Information Commissioners Office ('ICO'). The Conservatoire's Registration Number is Z7289920

This Data Processing Statement ('DPS') concerns the Conservatoire's obligations as Data Controller for the purposes of processing your personal data in accordance with the General Data Protection Regulation ((EU) 2016/679) (GDPR), which is directly applicable in all EU member States with effect from 25 May 2018. It will repeal the Data Protection Directive (95/46/EC) which was implemented in the UK by the Data Protection Act (1998).

The Conservatoire needs to process (that is, collect, use, store and ultimately destroy) personal information about you as a student to be able to record your application to the School, your progress through your course, to classify your final award(s) and to maintain contact as an alumnus/alumna of the Conservatoire. The Conservatoire is also obliged in some cases to collect information in line with legal requirements, for example to provide details of your attendance to the Office for Students ('OfS').

1. How will the Conservatoire use your data?

Purpose 1: Administrative uses

Information supplied on the registration form will be stored electronically and shared with your School. Information about you in electronic form will be subject to security restrictions, while paper files will be stored in secure areas with controlled access.

The personal data the Conservatoire collects from you at registration includes:

- Name
- Contact details (address, email, telephone numbers)
- Secondary contact details
- Country of nationality and of birth
- Academic qualifications
- Details of any disability
- Fee information and sponsorship details

Some of the personal data processed by the Conservatoire is defined as 'Special Categories of personal data' in the GDPR and there are restrictions on its use. It is requested for a specific purpose, and will not be used for any other purpose

without your explicit consent unless it is necessary to protect the vital interests of you or another person.

This information, plus information collected about your achievement and student experience, will enable the Conservatoire to perform its function as a Higher Education provider. Additional monitoring and sensitive information provided on the registration form will allow the Conservatoire to monitor equal opportunities, and fulfil its public sector equality duty under the Equality Act 2010. The personal data is used to prepare statistics for external use, and for external agencies, particularly the Higher Education Statistics Agency (HESA).

Legal basis for processing your information for Purpose 1

Processing of your information for Purpose 1 is necessary for one or more of the following reasons:

- *Compliance with a legal obligation (GDPR Article 6(1)(c));*
- *To protect the vital interests of a data subject or another person (GDPR Article 6(1)(d));*
- *For the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (GDPR Article 6(1)(e));*
- *For the purpose of legitimate interest pursued by the controller or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject (GDPR Article 6(1)(f))*

Processing of Special Categories of personal data for Purpose 1 is necessary for one or more of the following reasons:

- *The data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject (GDPR Article 9(2)(a))*
- *carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law (GDPR Article 9(2)(b))*
- *archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject (GDPR Article 9(2)(j))*

Purpose 2: Assuring and improving the student experience

In the course of your studies, the Conservatoire will collect information on your achievement and regarding your student experience. It will process this information, together with relevant personal and sensitive personal information in order to provide statistical information for the purposes of assessing the continuous improvement of the student academic experience and of student outcomes, monitoring student admissions, and in order that The Conservatoire's governing body can provide assurances regarding these to OfS. The Conservatoire may also, from time-to-time disclose information about you in statistical or anonymised form

to OfS and/or the Quality Assurance Agency, in the context of institutional audits or other quality assessment exercises.

The Conservatoire may also from time to time conduct surveys or focus groups to better understand the student experience. Your participation in these will be based on your consent.

Legal basis for processing your information for Purpose 2

Processing of your information for Purpose 2 is necessary for one or more of the following reasons:

- *Compliance with a legal obligation (GDPR Article 6(1)(c));*
- *For the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (GDPR Article 6(1)(e));*
- *To protect the vital interests of a data subject or another person (GDPR Article 6(1)(d));*
- *For the purpose of legitimate interest pursued by the controller or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject (GDPR Article 6(1)(f))*

Processing of Special Categories of personal data for Purpose 2 is necessary for is necessary for one or more of the following reasons:

- *substantial public interest, on the basis of union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and interest of the data subject (GDPR Article 9(2)(g))*
- *relates to personal data which are manifestly made public by the data subject (GDPR Article 9(2)(e))*
- *carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law (GDPR Article 9(2)(b))*
- *archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject (GDPR Article 9(2)(j)).*

Processing of Special Categories of personal data for Purpose 2 may also be with your specific consent (GDPR Article 9(2)(a))

Purpose 3: Student cases

The Conservatoire has a variety of ‘student-related policies and procedures’ which may result in ‘student cases’ and will necessitate the processing of personal data, and may necessitate the processing of special categories of personal data. Such policies include, but are not limited to:

- Student Complaints Procedure

- Admissions Appeals and Complaints Policy
- Criminal Records Policy
- Support Through Studies Policy
- For RADA and LAMDA: Fitness to Train Policy
- Non-Academic Misconduct Policy
- Policy on Sexual Misconduct, Harassment and Related Allegations

Information which the Conservatoire will process when handling student cases under these policies and procedures will include the personal data of the student. The Conservatoire may also process such information in supporting its Schools with the operation of procedures under student-related policies.

The information that will be processed will vary according to the nature of the case, but as a minimum it will include the student's name, course of study, and the reason for their case.

'Student cases' may include information about a student's academic progress, and details of activities which they have undertaken as a student. It may include details about the student's place of residence. It may include details about the behaviour of the student, or of other students. Some of the personal data may fall within the special categories of personal data, including information about a student's physical and mental health. In a minority of cases, it may include information about criminal offences or alleged criminal offences. The information may also include other information which people commonly expect to be treated with a high degree of sensitivity and confidentiality, including information about race, ethnicity, religion, nationality, gender, sexual orientation, and sexual activity. The personal data processed by the Conservatoire about a student may include opinions as well as verifiable facts.

Additionally, 'student cases' may include personal data of other individuals, which may be opinions or verifiable facts. This may include information that falls within the special categories of personal data or include other information which people commonly expect to be treated with a high degree of confidentiality and sensitivity. For example, a student might include details of a parent's ill health or a spouse's criminal convictions for violent behaviour as part of their claim for mitigation in an assessment. For further information about third party data processing, please refer to <http://www.cdd.ac.uk/policies/student-related-policies/>

Personal data and special categories of personal data regarding individual students may also be processed by the Conservatoire where this is relevant to its role as a subscriber to the Office of the Independent Adjudicator for Higher Education (OIAHE) and/or relevant to its role as an institution of higher education in the consideration of individual student complaints, student misconduct, support through studies cases/student fitness to train, student appeals and other individual student matters, as well as matters relating to the disclosure of criminal convictions concerning applicants and students. As a subscriber to the OIA, the Conservatoire is also required to share student personal and sensitive personal information with the OIAHE regarding complaints raised by students with the

OIAHE, and to provide statistical information regarding student cases to the OIAHE. Where it works in partnership with validating universities in the management of individual student matters, the Conservatoire may also from time to time share personal and sensitive personal data with the student's validating university (which are also subscribers to the OIAHE) regarding an individual student case, in order to ensure appropriate consideration of the individual student matter under the procedures agreed with the validating university.

For further information about what types of data will be shared with the OIAHE and the purposes of such sharing, please see the related OIAHE guidance (May 2018): <http://www.oiahe.org.uk/media/122698/supplying-personal-data-to-the-oia.pdf>

Legal basis for processing your information for Purpose 3

Processing of your information for Purpose 3 is necessary for one or more of the following reasons:

- *Compliance with a legal obligation (GDPR Article 6(1)(c));*
- *For the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (GDPR Article 6(1)(e));*

Processing of Special Categories of personal data for Purpose 3 is necessary for is necessary for one or more of the following reasons:

- *substantial public interest, on the basis of union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and interest of the data subject (GDPR Article 9(2)(g))*

Purpose 4: Confirmation of your attendance

As a constituent School of the Conservatoire, your School may confirm your registration and/or attendance with the SLC electronically in order to release student loans funding. Your School may also notify the SLC of any change of circumstances in relation to your personal information and/or your programme of study.

Your School may also confirm bursaries awards from your School and/or the Conservatoire.

Data will be released to the SLC and Local Education Authorities in relation to financial matters associated with your education, and if necessary to parties involved in the recovery of debts to the Conservatoire and/or your School.

Legal basis for processing your information for Purpose 4

Processing of your information for Purpose 4 is necessary for one or more of the following reasons:

- *Compliance with a legal obligation (GDPR Article 6(1)(c));*
- *For the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (GDPR Article 6(1)(e));*

- *For the purpose of legitimate interest pursued by the controller or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject (GDPR Article 6(1)(f))*

Processing of Special Categories of personal data information for Purpose 4 is necessary for:

archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject (GDPR Article 9(2)(j))

Purpose 5: Submission of your information to HESA

The Conservatoire is under a legal requirement to provide information about you that is stored electronically (including additional monitoring purposes) to HESA, via a secure electronic submission system. HESA will also collect additional information about your study activity and financial support (including tuition fees, student loans received and/or scholarships).

This data forms your HESA record which contains mainly coded information about you including ethnicity and disability data. Your record, or parts of it, is then passed to the appropriate bodies that require it to carry out their statutory functions in relation to the funding of education. A full list of those bodies and the uses that will be made of your data can be found by visiting the HESA website (www.hesa.ac.uk). The Conservatoire also needs, at times, to give data to government education departments, the Quality Assurance Agency, funding councils and representatives of these bodies such as auditors. The Conservatoire will also provide data on request to law enforcement agencies where legally required to do so and where crime detection or prevention can be aided by the release of data.

Legal basis for processing your information for Purpose 5

Processing of your information for Purpose 5 is necessary for one or more of the following reasons:

- *Compliance with a legal obligation (GDPR Article 6(1)(c));*
- *For the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (GDPR Article 6(1)(e));*

Processing of Special Categories of personal data for Purpose 5 is necessary for one or more of the following reasons:

- *carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law (GDPR Article 9(2)(b))*
- *archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for*

suitable and specific measures to safeguard the fundamental rights and the interests of the data subject (GDPR Article 9(2)(j)).

Purpose 6: Student and leaver surveys

After you graduate you may be contacted by telephone or email and asked to complete surveys either by your School, or Conservatoire staff or survey contractors. The Conservatoire will hold your contact details after you graduate in order for you to be contacted to complete a graduate outcomes survey.

In line with UK Government policy, your contact details may be passed to national survey contractors to carry out the National Student Survey (NSS). The Conservatoire will also pass your contact details to Jisc and 'Bristol Online Surveys', the organisations that are currently contracted to carry out the DLHE Survey. Survey data about you collected by School or Conservatoire staff will be electronically supplied to Bristol Online Surveys and HESA, who in turn use it to create statistics to meet the public interest in the outcomes of higher education. Information from your nominated secondary contacts might be used to complete sections of the surveys if you cannot be contacted. If you are contacted, you have the option to refuse the survey.

Legal basis for processing your information for Purpose 6

Processing of your information for Purpose 6 is necessary for one or more of the following reasons:

- *Compliance with a legal obligation (GDPR Article 6(1)(c));*
- *For the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (GDPR Article 6(1)(e));*
- *For the purpose of legitimate interest pursued by the controller or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject (GDPR Article 6(1)(f))*

Purpose 7: Use of Images for Promotional Purposes by the Conservatoire

Throughout your time while registered with the Conservatoire, it is likely that you will be photographed and/or filmed, as part of a performance, event or commissioned studio session. These images are stored securely both at the School and the Conservatoire. These images may be used for appropriate press, profile-raising and marketing purposes by the Conservatoire, during your time with the Conservatoire and after your graduation, and may be used by the Conservatoire for promotion through external media. Your School may share your image(s) with the Conservatoire.

Conservatoire events image(s) may be retained by, and will only be accessed by, the creator, and authorised persons of the Conservatoire and the Schools and may be used in the future in Conservatoire and School publications and marketing materials, subject to agreement by the participating Schools. The image(s) will only be retained for the stated purpose.

Legal basis for processing your information for Purpose 7

Processing of your information for Purpose 7 is necessary for the following reason:

- *For the purpose of legitimate interest pursued by the controller or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject (GDPR Article 6(1)(f))*

Purpose 8: The Conservatoire events

The Conservatoire may process student personal and sensitive personal information in connection with the organisation and administration of Conservatoire events.

Legal basis for processing your information for Purpose 8

Processing of your information for Purpose 8 is necessary for one or more of the following reasons:

- *For compliance with a legal obligation (GDPR Article 6(1)(c));*
- *To protect the vital interests of a data subject or another person (GDPR Article 6(1)(d)).*

One or more of the following applies to the processing of Special Categories of personal data for Purpose 8:

- *The data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject (GDPR Article 9(2)(a))*
- *carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law (GDPR Article 9(2)(b))*

Other Disclosures

Examples of some of the other situations in which the Conservatoire may disclose information about you include:

- Disclosure to law enforcement agencies, where necessary for crime prevention or detection.
- Disclosure to local authorities, for purposes connected with electoral registration, council tax or the investigation of benefit fraud.
- Disclosure to a debt collection agency if you leave the School owing money to the School or otherwise default on a debt in which the Conservatoire has an interest. The Conservatoire may also disclose information about you for the purpose of verifying the accuracy of the data it holds about you, or that is held about you by another higher education institution or by government agencies.
- Disclosure to third parties who provide IT services, data processing or functionality; like many higher education providers, we use third party providers to support our operation and provision of higher education to staff and students, such as cloud-based software providers, web hosting/management providers, data analysis providers, and data back-up and security/storage providers. We may transfer personal data to such third parties.
- As a ‘Recognised HE Provider’, the Conservatoire may from time-to-time process personal and/or sensitive personal information regarding individual

students and in accordance with relevant legislation, make disclosure of such information to external agencies in connection with its Prevent duty.

- As a UK registered company and charity, in order to comply with the Companies Act 2006 and Charities Act 2011, we need to disclose your personal data (including special categories of personal data) to third party auditors.

Legal basis for processing your information for ‘Other Disclosures’

One or more of following applies to the processing of your information relating to ‘Other Disclosures’:

- *Consent of the data subject (GDPR Article 6(1)(a));*
- *Compliance with a legal obligation (GDPR Article 6(1)(c)).*
- *To protect the vital interests of the data subject or of another natural person (GDPR Article 6(1)(d));*
- *For the purpose of legitimate interest pursued by the controller or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject (GDPR Article 6(1)(f))*

The following applies to the processing of special categories of personal data for ‘Other Disclosures’:

- *The data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject (GDPR Article 9(2)(a)).*
- *To protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent (GDPR Article 9(2)(c));*

The Conservatoire is in the process of reviewing its governance arrangements. This governance review has been undertaken to ensure that the Conservatoire is able to meet future regulatory requirements, and to achieve its strategic goals. The outcome of the governance review may affect the terms of existing contractual arrangements between the Conservatoire and each of its Schools, and any such changes may in turn effect changes to the way in which the Conservatoire processes data and/or the type of data it collects. Changes to the Conservatoire’s Data Processing Statement will be notified to the Schools, and will also be placed on the Conservatoire’s website.

2. What are my rights?

You will have a number of rights under the GDPR in respect of the information which the Conservatoire holds about you, and how the Conservatoire can use that information. The GDPR provides the following rights for individuals:

- 1) The right to be informed
- 2) The right of access
- 3) The right to rectification
- 4) The right to erasure (‘right to be forgotten’)
- 5) The right to restrict processing
- 6) The right to data portability

- 7) The right to object
- 8) Rights in relation to automated decision making and profiling.

The GDPR gives rights to individuals in respect of the personal data that organisations hold about them. Chief among these is the right to be forgotten, which would prevent the Conservatoire from processing your personal data for purposes of marketing or other purposes mentioned elsewhere in this document.

You can exercise your rights by serving the Conservatoire with a written notice in accordance with Articles 15 to 22 of GDPR. However, the Conservatoire may refuse to accept such a notice in certain circumstances: for example, if doing so would prevent it from lawfully processing data in a manner which is necessary to fulfil its relationship with you as a student.

For further information on how to exercise these rights, please contact the Data Protection Officer for the Conservatoire: Kathleen Formosa (Company Secretary & Clerk to the Governing Body), via email: Kathleen.Formosa@CDD.AC.UK

3. What are my responsibilities?

The Conservatoire will make every reasonable effort to keep your details up to date. However, it is your responsibility to provide your School with accurate information about yourself when you apply and when you enrol, and to let the Conservatoire know of any subsequent changes to your details, such as changes to your name or address by informing the Higher Education Programme Administrator for your School.

Any information which you supply the Conservatoire and the School about your secondary contacts will be used in an emergency, and will only be disclosed in your immediate health or safety interests. By enrolling, you agree to inform your secondary contacts that their data are being held by the Conservatoire and the School for these purposes. It is very important that you notify your School of any changes to your secondary contacts by informing the Higher Education Programme Administrator for your School.

4. What happens after I finish/graduate?

After your registration with the Conservatoire ends, it will continue to hold data about you in digital and paper form. Some information (such as your dates of attendance and your degree) will be retained permanently; other data will be disposed of from time to time in accordance with the Conservatoire and/or School's data retention policies.

In order for the Conservatoire to fulfil its obligations as a Higher Education Provider, it may be necessary for the Conservatoire and your School to process data relating to you after you leave.

Such processing may be for any purposes connected with your studies and your status as a former student, and for other legitimate reasons as outlined elsewhere in this document.

Examples of how the Conservatoire may use your data after you finish or graduate include:

- To provide information to regulatory bodies and other agencies to whom the Conservatoire is legally required to supply data (as stated in Purpose 4, 5, Purpose 6 and under ‘Other Disclosures’)
- To maintain contact with you as an alumnus/alumna
- For audit and quality assurance purposes.

The Conservatoire may contact you for a limited range of research purposes after you leave or graduate.

If you are an alumnus/alumna, you can register changes of address and other contact details by contacting your School.

5. Can I get access to my data?

Currently former undergraduate or postgraduate students can get a transcript of their academic results by contacting the validating university records office. To get access to other data which the Conservatoire holds about you, you should submit a subject access request under the Data Protection Act to info@cdd.ac.uk

Validating University	School
University of West England	Bristol Old Vic Theatre School
University of Kent	Central School of Ballet
	The London Academy of Music and Dramatic Art (LAMDA)
	London Contemporary Dance School (LCDS)
	National Centre for Circus Arts
	Northern School of Contemporary Dance (NSCD)
	Rambert School of Ballet and Contemporary Dance
King’s College London	Royal Academy of Dramatic Arts (RADA)

Under the GDPR, you have the right to make a subject access request for the information the Conservatoire holds about you. The Conservatoire may charge a fee for repeat requests for information to recover any administrative costs this may incur.

HESA is the official source of data about UK universities. For further information how HESA processes and uses your data, and your rights in relation to that data, please refer to www.hesa.ac.uk/fpn

For further information on how your School processes your data, you should consult your School office directly and/or consult your School’s website.

Questions, Comments and Complaints

If you have questions or comments about how your data is used by the Conservatoire or by your School, you can put them in writing to:

Conservatoire for Dance and Drama
Tavistock House
Tavistock Square
London
WC1H 9JJ

Or by e-mail at info@cdd.ac.uk

If you think there is a problem with the way the Conservatoire or your School is handling your data, you have the right to complain to the Information Commissioner's Office: <https://ico.org.uk/>

The Conservatoire will only use your data fairly and lawfully in accordance with its obligations under the GDPR. Any use by the Conservatoire of your data must also be covered by its registration with the Information Commissioner. This is available on the Information Commissioner's Office website, and describes in a general way how the Conservatoire processes personal data about students and other individuals.

The Data Protection Act requires the Conservatoire to keep your data secure. This means that your confidentiality will be respected, and all appropriate measures will be taken to prevent unauthorised disclosure. Only members of staff who need access to relevant parts or all of your data will be authorised to do so. Information about you in electronic form will be subject to security restrictions, while paper files will be stored in secure areas with controlled access.

Updated 09/08/2018