

Data protection and Processing Personal Data While You Study Guidance

Data protection and processing personal data while you study

From time to time, you may find that you process personal data during the course of your studies at the University. This could be in the context of completing a research project, dissertation or during time spent on a work placement.

What is personal data?

The General Data Protection Regulation (GDPR) explains the rules that we need to follow when processing personal data. Personal data is information that can be used to identify a living person. Examples of personal data are **name, address, email address, phone number date of birth and even someone's opinion.**

What is special category data?

Special category data is personal data that is more sensitive and includes information about a person's **health, religious or political beliefs, sexual orientation.** This type of data has additional protections under GDPR and can only be processed under specific conditions.

What do I need to consider when processing personal data?

You need to make sure that you are familiar with and adhere to the data protection principles of GDPR when processing personal data. These are:

1. **Lawfulness, fairness and transparency** – You must clearly explain to the person(s) why you're processing personal data and what you're going to do with it.
2. **Purpose limitation** – Only process personal data for the purpose it was collected. You can't use the same data for a completely different project or coursework without notifying the person.
3. **Data minimisation** – Only collect and process the personal data you need. Don't collect any additional data just in case.
4. **Accuracy** – Personal data must be kept accurate and, where necessary, kept up to date.
5. **Storage limitation** – Only keep the personal data for as long as you need it – then delete it or destroy physical documents containing personal data.
6. **Integrity and confidentiality** – Personal data must be processed in a manner that ensures its appropriate security. Password protect folders and documents.
7. **Accountability** – Make sure you can show that you've adhered to these GDPR principles. Keep records of the information you've collected, what you've used it for, how long you'll keep it for and how you keep it safe i.e. a password protected file.

Lawful basis for processing Personal Data

The GDPR provides different legal conditions under which you may process personal data. Detailed information about this can be found here: <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/>

When processing personal data during your studies, you will most probably rely on **consent** as the lawful basis for processing.

Consent means that the person has agreed to let you process their personal data and you must keep a record of their consent. You might record this by asking a research participant to sign a consent form or record their consent verbally.

Lawful basis for processing Special Category data?

Processing of special category data is treated more strictly under GDPR and is only permitted under certain conditions. **You must obtain approval from a member of academic staff before processing this data.**

Detailed information can be found here: Detailed information about this can be found here: <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/>

The most common lawful basis for processing special category data during your studies will be **explicit consent**.

The best way to demonstrate that you have an individual's **explicit consent** is to ask a participant to agree to a detailed consent statement which states exactly what data you will use and how you will use it and whether the data will be shared or transferred. Make sure you take time to explain clearly how and why their data will be processed.

Tips for processing personal data correctly.

- Consider whether the work/research will involve collecting/processing personal data i.e. could the data identify a living person?
- If yes, obtain the relevant consent from the person to use their personal data and record this consent.
- Consider if the personal data being collected is “special category data” and obtain explicit consent if it does.
- Explain clearly what is going to be done with the data to those participating or whose details are collected for the research.
- Ensure that data is recorded accurately and do not keep or collect data that is excessive and unnecessary.
- Store the personal data securely. This may be through using secure University storage or encryption. Paper should be stored securely.
- Do not disclose any personal data with other people or publish personal data without consent.
- Do not keep personal data beyond the time required and ensure that it is destroyed securely.
- Consider if there is personal data being transferred outside the European Economic Area. If so, there are other requirements to consider as discussed on: <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/international-transfers/>

Further information

For further information:

GCU Data Protection policy and guidance - <https://www.gcu.ac.uk/dataprotection/>

Information Commissioner's Office - <https://ico.org.uk/>