

Privacy notice for the sexual misconduct survey pilot

1. Introduction

The Office for Students (OfS) is the regulator for higher education in England. We are committed to protecting your personal information and being clear about what information we hold about you and how we use it.

This privacy notice applies to the sexual misconduct survey (SMS) pilot. It sets out details about the information we collect, who processes your information, what they use it for, the legal bases for this processing, and your rights under data protection legislation.

The OfS aims to ensure that every student, whatever their background, has a fulfilling experience of higher education that enriches their lives and careers. This should mean students can study without facing harassment or sexual misconduct. The purpose of this pilot survey is to collect further evidence about the prevalence of sexual misconduct in higher education in order to help us understand the scale of the issue and how different student groups are affected.

You can [find more information about the OfS and the work that we do on our website](#).

The SMS will be carried out on our behalf by Ipsos (an independent social and market research agency). Ipsos also conduct the National Student Survey (NSS), which you are also invited to take part in.

The NSS and the SMS are separate surveys, each with their own specific purpose but both are being delivered by Ipsos on behalf of the OfS.

The SMS will be made available to you after you have completed the NSS.

2. Data controller and Data Protection Officer

The OfS is the 'data controller' of any personal information collected within scope of this privacy notice.

Ipsos is a 'data processor' working on behalf of the OfS to administer the NSS.

Both the OfS and Ipsos are registered with the Information Commissioner's Office and you can [check the entry details on the ICO website](#).

Our location and contact details are below:

Office for Students
Westward House
Lime Kiln Close

Bristol
BS34 8SR

Tel: 0117 931 7317

Email: dp@officeforstudents.org.uk

Our Data Protection Officer (DPO) is the first point of contact for people whose information is processed. You can contact the DPO using the details above. You should note that this email address is monitored by other members of the OfS's data protection team. Therefore, please mark any correspondence 'for the attention of the Data Protection Officer'.

The OfS is registered with the Information Commissioner's Office (ICO). Our registration number is ZA309955 and you can [check our entry details on the ICO's website](#).

3. Our purpose for using the information

The SMS aims to:

- Build on the findings of the [first pilot survey conducted in 2023](#) and explore the national prevalence of sexual misconduct experienced by students at universities and colleges in England.
- Trial a new route for delivering the survey; students will be invited to participate in the SMS after they have completed the NSS.
- Trial a shortened version of the 2023 pilot survey.
- Help inform decisions about future surveys.

We can only use your personal information where we have a specific purpose or purposes for doing so. This pilot survey intends to help us understand the scale of this important issue and how different student groups are affected.

If we want to use your personal information for a reason other than those purposes set out above, we will tell you before we start that use and provide further information about the new purpose(s).

4. Legal basis for using your personal information

Under data protection legislation, we require a legal basis to be able to process your personal information for the purposes set out above.

In this case, the legal basis is:

- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller (see UK GDPR Article 6(1)(e)) and for statistical and research purposes (see UK GDPR Article 89).
- Processing of special categories of data is necessary for statistical and research purposes (see UK GDPR Article 9(2)(j)) in accordance with Article 89(1) and Schedule 1 part (4) of the DPA 2018.

5. Who sees my personal information

The OfS is the 'data controller' of any personal information collated and transferred for this pilot survey. The OfS may, from time to time, engage other non-statutory bodies or agents to carry out functions on their behalf. In order to carry out this survey the OfS has appointed Ipsos who will request personal information, including contact details, from your education provider. The OfS, as the data controller, will retain control of any personal data transferred under contract with non-statutory bodies.

The OfS is committed to protecting your personal information and being clear about what information we hold about you and how we use it. Your personal information will be kept strictly confidential by all parties involved. It will be stored securely within the United Kingdom and will not be transferred outside that territory without the explicit written consent of the OfS and then ensuring appropriate safeguards compliant with the requirements of data protection legislation are in place (whether in accordance with UK GDPR Article 46 or LED Article 37) as determined by the OfS.

6. Who we share your personal information with and why

Once the survey is complete, we may share your survey responses with a third-party supplier to enable the dissemination of results. Any results disseminated will be done so securely, in a way that takes steps to ensure the confidentiality of respondents.

If your feedback relates to any sexual misconduct experiences or incidents or you share any concerns about safeguarding, please note that these cannot be followed up with you by your education provider or the OfS due to confidentiality. The OfS will not have access to your contact details and will not be able to contact you and would not expect to make any contact with your education provider about specific situations. It is important that if you have any concerns about your own wellbeing or safeguarding that you contact your education provider for information on the support and services available.

If you are currently in danger or need urgent medical attention, please contact the emergency services on 999.

In the table below is a list of support services that you can contact in a non-emergency situation, for help and advice:

Support services available to you	Contact details
The Police (law enforcement)	Call '101'. This is a national, 24/7 helpline.
National Health Service (NHS)	Call '111'. This is a national, 24/7 helpline.
<u>NHS mental health support</u>	Online advice
The Samaritans (a charity dedicated to reducing feelings of isolation and disconnection)	Call '116 123'. This is a national 24/7 helpline.
<u>Student Minds</u> (the UK's student mental health charity)	Online advice

<u>Student Space</u> (an online platform providing support services and advice and information on student life)	Online advice and webchat
<u>Mind</u> (a mental health charity)	Call '0300 123 3393'
<u>SHOUT</u> (a free, confidential text messaging support service for anyone who is struggling to cope)	Text '85258'
<u>Rape crisis England and Wales</u> (dedicated helpline for victims of abuse in schools)	Call '0808 500 2222'

7. What personal information do you hold and collect about me?

Personal data for the SMS will be drawn from the NSS data collection and used to invite you to take part in this online survey about your experiences of sexual misconduct.

Student information for the NSS is initially collected by the Higher Education Statistics Agency (HESA) and the Education and Skills Funding Agency (ESFA) and supplied to the OfS. The OfS then provide Ipsos with the following categories of personal data for each eligible student:

- date of birth
- course details
- pseudonymised unique identifiers.

The OfS then requests student contact details from universities and colleges to be passed to Ipsos to conduct the survey. Universities and colleges provide Ipsos with the following categories of personal data for each eligible student:

- name
- email address
- unique identifiers.

This information is used purely for the purpose of delivering the survey and will not be shared with any external organisation or the OfS.

In addition to your survey responses, Ipsos also collect paradata such as screen resolution and time taken to complete the survey. This information is supplied to the OfS and is only used for analysis and evaluation to see whether the survey is working successfully and whether it can be improved. Below is a list of the paradata:

- date of response
- length of time to respond
- length of time on each screen (online)

- information about the browser used
- information about duplicate responses
- information about partial responses
- flags to show how many email addresses were supplied
- whether emails bounced back.

The OfS will also match this data with the following special category data received from HESA and students' Individualised Learner Record (ILR):

- ethnicity
- religion (if applicable)
- disability (if applicable)
- sexual orientation.

Why we collect special categories of data before issuing the survey

The collection of the special category data listed above will be used to:

- ensure that individuals with these characteristics are adequately represented and that their views and experiences are considered.
- check whether there is any difference in response to the survey questions by students with a given characteristic.
- Assess whether there is any response bias; whether students who responded had the same characteristics as the people who did not respond.

The OfS will then perform analysis on the data to identify the prevalence of sexual misconduct and understand the context surrounding sexual misconduct, including at different providers or with different groups of students.

Your participation in this research, together with your individual responses to the questions, will be kept strictly confidential in line with information security requirements and standards as agreed between Ipsos and the OfS.

The results of the pilot survey will be used by the OfS for internal analysis. The OfS will take final decisions on what data to publish and how to share it once the pilot is finished.

8. How long we hold your personal information

We are only able to retain a copy of your personal information if it is still needed for the purpose(s) for which it was collected. The following conditions apply to the personal information processed as part of the sexual misconduct survey:

- Ipsos will destroy all student contact details within one calendar month of the survey closure (by 31 May 2025).
- Within three calendar months of project closure, Ipsos will securely remove all other student data from their computer systems and transfer it in a pseudonymised format to the OfS, by 31 October 2025.
- Pseudonymised responses to the survey and paradata about the response as described above will be retained indefinitely by the OfS for use in producing statistical analysis and research into quality and student experience, and trends in higher education. Pseudonymisation is a technique that replaces or removes information that identifies an individual. This information will not be used to make any decisions about individuals and any reports the OfS publishes will not include identifiable individualised data.

9. Where your personal information will be stored

Your personal information will be kept strictly confidential by all parties involved, will be stored securely within the UK and will not be transferred outside that territory.

10. How we protect your personal information

The OfS has a number of security measures in place to protect your personal information, including:

- Accredited to the [Cyber Essentials Plus](#) standard for cybersecurity.
- All staff are required to undertake training in data protection and information security on joining the OfS.
- Formal information security policies that must be read and understood by all staff.
- Personal information is only available to those members of staff who require access as part of their role. This will be managed with an access control list, specifying which users are granted or denied access to the information.
- Personal data is stored in pseudonymised form with access to the key which resolves the pseudonymisation strictly controlled.

You can read more information on [our approach to information security](#) on our website.

Ipsos has regular internal and external audits of its information security and is registered to the International Standard for Information Security, ISO 27001. Ipsos is a member of the Market Research Society, which means it has signed up to carrying out market research in an ethical and compliant way.

11. How do I opt out of being contacted by Ipsos to complete the SMS?

You can ask Ipsos to remove your details from the contact list being used for the sexual misconduct survey. Students may do this using the 'opt-out' form on the [survey website](#) from 8 January until 30 April 2025, or by contacting [Ipsos](#).

Ipsos will ask you to confirm your details to ensure that the correct records are removed from the contact list. If you chose to opt out of the survey, Ipsos will retain your personal details for the duration of the survey but will not contact you again for the purposes of administering this survey. You may continue to receive information about the National Student Survey which Ipsos also administer on our behalf. Your personal data will be automatically destroyed by 31 May 2025.

You can also request to have your personal data erased. Students may do this using the 'opt-out' form on the [survey website](#) from 8 January until 30 April 2025. After this date, you can request this at any stage by contacting [Ipsos](#).

If you choose data erasure, Ipsos will securely and permanently delete your personal information (contact details, date of birth, etc.) used for this survey. This is an irreversible process, which means you will not be able to take the survey once this process has been completed.

In exceptional circumstances, it may be necessary for the OfS to analyse student-level data relating to refusals or opt-outs. In this case, Ipsos will securely transfer data to the OfS about students who have actively opted out of the survey.

Please note providers may send their own communications to students regarding the SMS. Neither the OfS nor Ipsos are responsible for these provider communications.

For further information, please contact the research team at thestudentsurvey@ipsos.com.

12. Your rights over your personal information

Once your personal information has been collected, you have certain rights in relation to that personal information that may be exercised. You have the right to request:

- a copy of your personal information
- inaccurate personal information held about you is corrected
- your personal information to be deleted
- processing of your personal information is restricted
- a copy of your information in a format that allows easy transfer ('data portability')
- that you are not subject to automated decision making or profiling (if these take place).

All these rights have certain limitations depending on the request and the purpose for which we are holding your personal information. Further information [about these rights and our processes](#) for handling such requests is available on our website.

13. Use of cookies

Cookies are text files placed on your computer to collect standard internet log information and visitor behaviour information. This information is used to track visitor use of the website and to complete statistical reports on website activity. For further information about [our cookies](#) visit our website, or for further general information visit: aboutcookies.org or allaboutcookies.org.

Further information about the use of cookies by Ipsos is available on the NSS website.

14. Complaints about the use of your personal information

If you are unhappy with the way in which your personal information has been handled by the OfS, please contact us via our Data Protection Officer (details in section two) and we will try to resolve your issue informally.

If you remain dissatisfied, you can complain to the data protection supervisory authority. In the UK, this is the Information Commissioner's Office (ICO) and they can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113

Email: casework@ico.org.uk

15. Changes to this notice

We keep our privacy notices under regular review and we will inform you of any changes to this notice by placing an update on our [privacy notices](#) webpage.

This privacy notice was last updated on 28 October 2024.

16. How can I obtain further details about this privacy notice or our compliance with it?

If you have any questions or require further information about this privacy statement, you can email smsurvey@officeforstudents.org.uk

17. Can I provide feedback on the survey?

Yes. Ipsos and the OfS are committed to continuously improving the survey. Should you have a question, comment and/or complaint about this research please contact Ipsos at thestudentsurvey@ipsos.com or the OfS at smsurvey@officeforstudents.org.uk.