

National Student Survey – allegations of inappropriate influence: Privacy notice

1. Introduction

The Office for Students ('OfS') is the regulator of the higher education sector in England and has certain statutory functions set out in the Higher Education and Research Act 2017. You can find more information about the OfS and the work that we do on our website:

www.officeforstudents.org.uk

The OfS is responsible for managing the process for investigating allegations of inappropriate influence on behalf of all the UK higher education funding bodies (Higher Education Funding Council for Wales, Scottish Funding Council and Department for the Economy Northern Ireland).

The OfS is committed to protecting your personal information and being clear about what information we hold about you and how we use it. This privacy notice tells you what to expect when the OfS collects personal information as part of managing the process for investigating allegations of inappropriate influence.

The OfS is registered as a data controller with the Information Commissioner's Office (ICO). Our registration number is ZA309955 and you can check our entry details on the ICO's website:

<https://ico.org.uk/about-the-ico/what-we-do/register-of-data-controllers/>

2. Data controller and Data Protection Officer

The OfS is the 'data controller' of any personal information collected within scope of this privacy notice. Our location and contact details are below:

Office for Students

Nicholson 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'.

3. What personal information we will hold and use

The personal information we will collect and use as part of this process is set out below:

- the full name of the person/s raising the concern
- the provider or organisation name
- where relevant, the contact email address, postal address and/or contact telephone number.

Should excessive personal data be received which is not relevant to the processing of an allegation, this will be deleted and not processed further.

4. How we will use your information

We can only use your personal information where we have a specific purpose or purposes for doing so.

The purpose of using your personal data is for the OfS to investigate and resolve incoming allegations of inappropriate influence in the promotion and running of the National Student Survey (NSS).

To achieve the above aims, the specific uses that will be made of your personal information are listed below.

The information provided will be used:

- to contact you about your concern and if the OfS or an associated UK funding and regulatory body has any further enquiries about your allegation(s)
- by the NSS Allegations Panel in order to investigate and resolve your allegation(s).

Where relevant, the OfS will work with the relevant UK funding and regulatory bodies to resolve concerns raised under the procedures and will share relevant information as appropriate.

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).

5. 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 GDPR Article 6(1)(e)).

6. Who we share your personal information with and why

Details of an allegation will be passed to an allegations panel chaired by a senior manager and inclusive of officers with expertise in running the NSS, data integrity and governance. The allegations panel is tasked with investigating allegations of inappropriate influence with providers

registered with the OfS. Should a concern relate to a teaching provider which is part of a registered provider, the OfS will request the registered provider to undertake an investigation.

The OfS is also responsible for managing the process for investigating allegations of inappropriate influence on behalf of all the UK funding and regulatory bodies. Should a concern relate to providers in other nations, information will be shared with the relevant UK funding and regulatory body as required by law.

Where the OfS considers that there is sufficient evidence for further investigation, it will normally contact the registered provider to which the NSS data relates promptly and request it to undertake an internal investigation. The OfS shall anonymise this data unless it has been deemed necessary to share it with the registered provider in accordance with legal advice received by the panel, or where the OfS is required to do so as part of our functions or by law. Where necessary, details of the allegation passed to the provider may include the name or title of the individual against whom the concern has been raised and details of other third parties identified within the allegation.

The OfS will take all reasonable steps to protect the anonymity of the person/s raising the concern and of third party individuals, however details of concerns contained within the information provided may, in very rare circumstances, mean that you can be identified by your provider.

Other than the relevant provider, we will not routinely pass your information to any other organisation except where required to do so as part of our functions or by law. Whilst all details of allegations and subsequent investigations are treated as confidential, information provided to the OfS may be subject to publication or disclosure under the Freedom of Information Act 2000.

7. Where your personal information will be stored

Your personal information will be stored securely within the UK and will not be transferred outside that territory unless required by a court order.

8. How we protect your personal information

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

- 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 and then on an annual basis.
- The OfS has 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.

You can read more information on our approach to information security on our website: www.officeforstudents.org.uk/ofs-privacy/information-security/.

9. 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
- that 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 can be found about these rights and our processes for handling such requests at: www.officeforstudents.org.uk/contact/how-to-request-information-from-us/how-to-make-a-request-to-access-your-personal-information/.

10. How long we will hold your personal information

The OfS will retain a copy of your personal information until the closure of an allegations case at which point your personal information and corresponding case paperwork containing any personal information will be destroyed. Case closure is not immediate after an outcome of an investigation into inappropriate influence due to the right to request a review of the outcome of an investigation. In the case of a review of the outcome of an investigation, personal data will be deleted six months after the initial case closure.

11. 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 either contact us at: dp@officeforstudents.org.uk or via our Data Protection Officer (details in section 2) and we will try to resolve your issue informally.

If we are not able to resolve the issue to your satisfaction, you can also make a complaint 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

12. Changes to this notice

We keep our privacy notices under regular review and any updates to this notice will be placed on this page.

This privacy notice was last updated in December 2022.