

Privacy notice for the third phase of the consultation into quality and standards

The General Data Protection Regulation (GDPR) requires that clear and transparent information is provided to individuals about the use(s) that will be made of their personal information: “The principle of transparency requires that any information and communication relating to the processing of those personal data be easily accessible and easy to understand, and that clear and plain language be used.” (GDPR Recital 39)

To fulfil this obligation, we are employing a layered approach to privacy notices where a short form overview is provided at the point at which personal data is collected, with a link then provided to a full detailed privacy notice.

Short form summary privacy notice

Here is a short summary of how the personal information you submit will be held and used:

- Participating in the consultation is optional. If you choose to respond to the consultation, we will require you to provide your personal information (name and email address). This will be used to understand who has responded and the views that they have on our proposals, with an aim of being able to understand the different perspectives of different stakeholders. Personal information is also used to confirm that a response is genuine.
- The Data Controller of the personal information you submit will be the Office for Students.
- The legal basis for processing your personal information Article 6(1)(e) - public task; 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.
- It will be stored on secure servers within the UK.
- The responses you provide to the consultation will be shared with a third party who will conduct analysis on our behalf. Your name and email address will not be shared however, please do not disclose personal information within your responses to the consultation questions. Should the third party identify any personal data within the responses they are analysing they will immediately, securely and permanently redact that personal data.
- It will be retained for one year after the end of our final decision or our published response then securely disposed of.
- You have certain rights in relation to your personal information, which are set out at: <https://ico.org.uk/your-data-matters/>.

- You may contact our Data Protection Officer (dp@officeforstudents.org.uk) with any queries or concerns you have about the use of your personal information.

You may also wish to read the full privacy notice, available at www.officeforstudents.org.uk/ofs-privacy/privacy-notice/.

Full privacy notice

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 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.

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

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.

How we will use your information

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

This consultation is conducted under HERA section 75(8) and relates to sections 5, 13, 23, 25, 27, 42-45, and 56-60 of the Higher Education and Research Act 2017 (HERA). The OfS undertook a preliminary consultation (‘Consultation on regulating quality and standards in higher education’) between November 2020 and January 2021. It undertook a further consultation (‘Consultation on quality and standards conditions’) between July and September 2021. You can read the privacy

notice for the previous consultation at www.officeforstudents.org.uk/ofs-privacy/other-privacy-notice/.

This privacy statement refers to phase three of the consultation.

The current phase three consultation takes forward some aspects of the earlier consultation and makes more detailed proposals about new regulatory requirements, including proposals for the Teaching Excellence and Student Outcomes Framework (TEF).

Participating in the consultation is optional. We welcome responses from anyone with an interest in the regulation of English higher education and we are particularly, but not only, interested in hearing from students and their representatives, and higher education providers that are registered or applying for registration. These are the groups that may be most affected by our proposals.

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

- Your name and email address will be collected so that we may contact you for any queries in relation to your submission. This information also ensures that we consider all genuine responses.
- We will also ask about the organisation you are from (if applicable) and your role (from a list provided to select from), which will be used to record and analyse the responses.
- We will summarise and/or publish the responses to this consultation on the OfS website (and in alternative formats on request). This may include a list of the providers and organisations that respond, but not personal data such as individuals' names, addresses or other contact details. Individuals, organisations and roles will not be identifiable in our consultation response.

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).

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:

- Article 6(1)(e) - public task. The legal basis for processing your personal information is that it 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.

What personal information we will collect

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

- full name
- email address
- whether responding as an individual or an organisation
- the name of your organisation (where you are responding on behalf of an organisation)

- individual's role (from a list provided to select from).

Who we give your personal information to

We will not routinely pass your information to any other organisation except where we consider it to be necessary for the performance of our functions, or where we are required to do so by law.

Responses to the consultation will be shared with a third party who will conduct analysis on our behalf. Your name and email address will not be shared however, please do not disclose personal information within your responses to the consultation questions. Should the third party identify any personal data within the responses they are analysing they will immediately, securely and permanently redact that personal data.

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.

How do 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 cyber security
- all staff are required to undertake training in data protection and information security on joining OfS and then on an annual basis
- 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.

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 can be found about these rights and our processes for handling such requests at:

www.officeforstudents.org.uk/ofs-privacy/individual-rights-under-the-general-data-protection-regulation/

How long we will hold your personal information

We are only able to retain a copy of your personal information as long as it is still needed for the purpose(s) for which it was collected. The personal information you have submitted will be kept for one year after the end of our final decision or our published response.

After that point, your personal information will be confidentially and securely disposed of.

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 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

5 Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113

Email: casework@ico.org.uk

Changes to this notice

We keep our privacy notices under regular review and we will inform you of any changes to this notice by writing to you via email.

This privacy notice was last updated on 12 January 2022.