

# Privacy notice: consultation on the distribution of capital funding for financial year 2021-22

## Short form summary privacy notice

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

- This survey is optional.
- In order to analyse the responses to the consultation, we are collecting personal information (alongside your views on our proposals) in order to understand who has responded and the views that they have on our proposals, with an aim of being able to understand the varying perspectives of different stakeholders. 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. Your email address will also be collected by SmartSurvey if you choose to use their save and continue facility.
- We will also ask about the organisation you are from (if applicable), 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).
- The OfS is the Data Controller.
- The legal basis for processing your personal information is 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.
- It will not be routinely shared with any other organisations.
- It will be retained for one year after the end of the consultation 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](mailto:dp@officeforstudents.org.uk) with any queries or concerns you have about the use of your personal information.

# Full 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](http://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/>

## 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](mailto: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.

## 3. 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 relates to a number of proposed changes to the OfS's approach to the distribution of capital funding for financial year 2021-22. The proposals set out relate to the OfS's powers under the Higher Education and Research Act 2017 (HERA) in relation to financial support for registered higher education providers (section 39). We have also had regard to our general duties under section 2 of the HERA, the statutory guidance issued by

the Secretary of State in January 2021, and the public sector equality duty. Anyone may respond to this consultation. We are particularly interested in hearing from higher education providers that are registered, or are applying to be registered, with the OfS in the Approved (fee cap) category. We welcome the views of all types and size of provider.

We are also interested in the views of representative bodies of higher education providers and their staff, student representatives, and others with an interest in the finance arrangements for higher education.

In order to analyse the responses to the consultation, we are collecting personal information (alongside your views on our proposals) in order to understand who has responded and the views that they have on our proposal, with an aim of being able to understand the different perspectives of different stakeholders. To achieve the above aims, the specific uses that will be made of your personal information are listed below.

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- Your name and email address will be collected so that we may contact you for any queries in relation to your submission
- We will also ask about the organisation you are from (if applicable), which will be used to record and analyse the responses
- 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).

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 as we are not collecting this information.

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).

## **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 for processing your personal information is 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.

## 5. What personal information we will collect

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

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

## 6. Who we give your personal information to

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. For example, we may need to share responses, in whole or part, with the Department for Education (DfE) under section 78 of HERA (<https://www.legislation.gov.uk/ukpga/2017/29/section/78/enacted>).

## 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.

The responses to this survey are collected via SmartSurvey. Information collected through SmartSurvey is stored on secure servers in the UK or EU and does not leave Europe at any point.

Their privacy notice can be accessed via their website: [www.smartsurvey.co.uk/privacypolicy](http://www.smartsurvey.co.uk/privacypolicy)

## 8. 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 the 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.

## 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
- 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/privacy/individual-rights-under-the-general-data-protection-regulation/](http://www.officeforstudents.org.uk/privacy/individual-rights-under-the-general-data-protection-regulation/)

## **10. How long we will hold your personal information**

We are only able to retain a copy of your personal information for 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 published response.

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

## **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 contact us 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](mailto:casework@ico.org.uk)

## **12. 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 19 March 2021.