

LEARNING ANALYTICS PRIVACY NOTICE

What is the purpose of this document?

The College is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to current and former students and staff whose data will be utilised for the purposes of Learning Analytics as described within this document. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

Examples of additional documentation of note pertaining to this privacy notice include;

- [Student and Prospective Student Privacy Notice](#)
- [Staff and Prospective Staff Privacy Notice](#)
- [Special Category Data Policy](#)

Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

The kind of information we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are also "special categories" of more sensitive personal data which require a higher level of protection.

We may collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, gender, date of birth, addresses, telephone numbers, and personal email addresses.
- Information about your use of our information and communications systems.
- Admissions data
- Course and programme enrolment data
- Timetabling and event data
- Data from student interactions with virtual learning environments (VLEs), other digital learning tools and platforms, assessment services and media platforms
- Data from student use of library systems and services
- Data from student utilisation of other College services and facilities related to learning and teaching
- Card access data to monitor mandatory attendance
- Data from Check-In apps (such as My Imperial Campus App)
- Assessment and mark data
- Careers and alumni data
- Student survey responses

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Information about your health, including any medical condition, health and sickness records.

This data will be used at an aggregate level to identify trends and inform decisions around equality of opportunity.

How is your personal information collected?

We collect the personal information about you through automatic data feeds from College systems, via our online forms, through your interactions with different teams and in the course of providing services to you or after we have provided services to you (e.g. feedback responses, surveys etc.).

Situations in which we will use your personal information

We need all the categories of information in the list above (see The kind of information we hold about you) primarily to undertake data analytics in accordance with one of the following five pathways that determine the reasoning for processing, the types of data being processed and the legal basis being relied upon.

Pathway 1 - Evaluation, Enhancement and Monitoring

The 'Evaluation, Enhancement and Monitoring' access pathway is used by a wide range of roles to look at both small and wider groups of data to evaluate, inform, enhance and monitor student learning and teaching materials as well as policy and processes involved with the broader student experience.

Data is used to provide feedback to staff on the efficacy of pedagogical design, to enable individual staff to reflect on the impact of their teaching and to allow student support services to understand the effectiveness of their activities and to plan for future delivery.

The scope/level of access can be as broad as the institutional level and as narrow as a group/class of students depending on what the user plans to evaluate.

The Evaluation, Enhancement, and Monitoring pathway enables various roles to access and analyse data in different forms, including anonymised data, personal data (pseudonymised,) without special category data, as well as personal data (pseudonymised and non-anonymised) with special category data.

Anonymised data can be used with no further restrictions (*unrestricted data*), with all personal identifiers removed, ensuring individuals cannot be identified. This approach protects privacy while allowing for meaningful analysis and evaluation.

Legal Basis for Evaluation, Enhancement and Monitoring

The processing of Personal Data (including pseudonymised) is based on the below legal bases:

- Public Task (Article 6(1)(e)):

The 'public task' basis allows for the processing of personal data when engaged in public functions, official authority, or tasks performed in the public interest, as outlined in legal statutes. The 'public task' basis is primarily pertinent to public authorities, but it is also applicable to any entity exercising official authority or carrying out tasks that contribute to the public interest.

It reflects the College's inherent role in serving the public interest through education. The College operates as a centre of knowledge dissemination, the analysis of personal data, including academic achievements and learning patterns, enables them to fulfil their obligation of continuous improvement in curriculum, teaching methodologies, and student support systems. This processing ultimately contributes to the enhancement of educational standards, empowers effective policymaking, and advances the collective societal goal of fostering an educated and skilled populace, all while upholding the principles of data privacy and security.

- Contract (Article 6(1)(b)):

The 'contract' lawful basis is utilised for processing personal data in this user pathway when there is a clear and direct contractual relationship between the College and the individuals, such as students or staff members. The 'contract' basis is permissible for purposes directly related to fulfilling contractual obligations. For instance, in the case of student enrolment, the College processes personal data for academic assessment, attendance monitoring, monitoring academic progress and the provision of academic support and educational services. Similarly, staff members' data may be processed to enable teaching, and other duties as stipulated in their employment contracts.

- Legitimate Interests (Article 6(1)(f)):

The 'legitimate interest' basis is invoked when processing personal data to achieve legitimate interests pursued by the College or relevant stakeholders, provided these interests are balanced against the rights and freedoms of individuals.

Through the Evaluation, Enhancement, and Monitoring pathway, various roles within the College community are empowered to analyse both small and broader sets of data. This data analysis aids in evaluating the effectiveness of learning and teaching materials, informing evidence-based policies, and enhancing processes that contribute to the overall improvement of the student experience. While leveraging the 'legitimate interest' basis, the College is committed to maintaining a balance between its interests and the protection of individual rights and privacy. A Legitimate Interests Assessment (LIA) has been completed to consider and justify the requirements set by UK GDPR law.

The processing of Special Category Data is based on the below additional legal bases:

- Archiving, research and statistics (with a basis in law) (Article 9(2)(j))

The 'Archiving, Research, and Statistics' legal basis provides a well-defined and recognised framework for processing special category personal data. This ensures that our data processing activities are grounded in a legitimate legal justification, reinforcing the credibility and integrity of our research and statistical analyses.

In conjunction with the Evaluation, Enhancement, and Monitoring user pathway, the 'Archiving, research, and statistics' basis enables us to analyse special category data for evaluating and enhancing various facets of the learning environment, including teaching materials, policies and processes. This alignment empowers us to derive valuable insights that contribute to improving the overall student experience and educational quality and delve into the rich landscape of special category data.

The utilisation of special category data, encompassing sensitive attributes like socio-economic backgrounds, disabilities, and cultural perspectives, offers a distinctive perspective for nuanced evaluations and optimisations, particularly when assessing the impact of teaching materials, policies, progression and processes on the student experience. This approach, in synergy with the combined basis and user pathway, uncovers hidden patterns, identifies disparities, and reveals enhancement opportunities that standard data analysis might miss. By exploring how different demographic groups engage with resources and policies, we create a more inclusive and effective learning environment, harnessing the potential of special category data to drive targeted and impactful improvements that cater to the diverse needs of the student body.

Selecting this basis underscores our commitment to conducting research and statistical analysis in an ethical manner. It emphasises our responsibility to balance the benefits of data insights with the rights and interests of individuals whose data is being processed, ensuring that the principles of fairness and respect are upheld. Adequate safeguards, including additional data protection measures, are implemented to ensure the confidentiality, limited access, and appropriate handling of this data.

Purpose limitations

Below are purpose limitations for the Evaluation, Enhancement, and Monitoring user pathway. Data used or accessed should not be used for other purposes incompatible with the original intent.

Purpose for accessing the data	Personal data (without special category data) – Article 6 condition	Personal data (with special category data) – Article 9 condition
a. Evaluating and improving the effectiveness of curriculum and instructional materials: Data may be processed to assess the impact of different teaching materials, teaching methods, or curriculum structures on student learning outcomes.	Public task (Article 6(1)(e))	Archiving, research, and statistics (with a basis in law) (Article 9(2)(j))
b. Monitoring student progress and performance: Data may be used to track individual student progress, identify areas where additional support is needed, or evaluate the overall performance of student cohorts.	Contract (Article 6(1)(b))	Archiving, research, and statistics (with a basis in law) (Article 9(2)(j))
c. Informing policy development and implementation: Data may be analysed to inform the development and implementation of institutional policies and procedures related to student support, academic standards, or student well-being.	Legitimate interest (Article 6(1)(f))	Archiving, research, and statistics (with a basis in law) (Article 9(2)(j))
d. Enhancing the student experience: Data may be utilised to identify areas for improvement in terms of student support services, campus facilities, or extracurricular activities, aiming to enhance the overall student experience.	Legitimate interest (Article 6(1)(f))	Archiving, research, and statistics (with a basis in law) (Article 9(2)(j))
e. Identifying disparities or inequalities and widening participation: Data may be analysed to identify any disparities or inequalities in access to educational resources, academic outcomes, or student experiences, with the aim of addressing these issues, promoting equity, and widening participation.	Contract (Article 6(1)(b))	Archiving, research, and statistics (with a basis in law)

Pathway 2 - Intervention-Based Evaluation and Enhancement

The Intervention-Based Evaluation and Enhancement access pathway will be used by a small number of roles to identify and follow up and get feedback with individuals, in the context of wider groups, to evaluate, inform and enhance learning and teaching materials, policy, and processes involved with the broader student experience.

Data is used to provide feedback to staff on the efficacy of pedagogical design, to enable individual staff to reflect on the impact of their teaching, or to allow student support services

to understand the effectiveness of their activities and to plan for future delivery. In this user pathway there may be interventions in place based on the analytics, which students will be informed about, for example notifications to personal tutors or automated messages.

The scope/level of access can be as broad as the institutional level and as narrow as a group/class of students depending on what the user plans to evaluate

Anonymised data can be used with no further restrictions (*unrestricted data*), all personal identifiers are removed, ensuring individuals cannot be identified. This approach protects privacy while allowing for meaningful analysis, evaluation and interventions.

Legal Basis for Intervention-Based Evaluation and Enhancement

The processing of data personal (pseudonymised) without special category data is based on the below legal bases:

- **Public Task (Article 6(1)(e)):**

The 'Public Task' legal basis is particularly well-suited for processing personal data within the context of the Intervention-Based Evaluation and Enhancement access pathway. This legal basis aligns with the essential role of educational institutions in performing their public duty to provide high-quality education, support students on programme and improve the overall student experience. Our institution's commitment to education and the broader student experience is integral to the public interest.

The 'Public Task' basis is invoked when processing personal data under the 'Intervention-Based Evaluation and Enhancement' pathway, including dedicated support for on-programme students. Specific roles engage in identifying, following up with, and obtaining feedback from individuals and groups to evaluate, inform, and enhance various aspects of learning and teaching materials, policies, and processes, while ensuring personalised support. The 'Public Task' basis enables us to actively and responsibly assess and improve our educational offerings for the benefit of our students and society at large.

Comprehensive documentation of data processing activities conducted under the 'Public Task' basis will be maintained. This includes details of specific evaluations, enhancements, interventions, and support initiatives undertaken, demonstrating alignment with our public duty, educational goals, and commitment to on-programme student success through blanket DPIAs and the technological tracking solution.

- **Legitimate Interests (Article 6(1)(f)):**

The 'Legitimate Interest' legal basis is the most appropriate for processing personal data within the context of the Intervention-Based Evaluation and Enhancement access pathway, including personalised support for on-programme students. This basis aligns with the College's genuine interest in continuously improving the learning environment, teaching materials, policies and processes to enhance the broader student experience. The focused use of this pathway by specific roles to identify, follow up, obtain feedback, and offer tailored support signifies a clear and proportionate approach, where the College's interests are balanced with the rights and expectations of individuals.

The flexibility to adjust the scope of access, ranging from institutional to more targeted levels, emphasises the need for specific insights and interventions. Furthermore, the College's commitment to providing effective personalised support aligns with the genuine interest to ensure student success and well-being. By implementing robust safeguards, maintaining transparency, and conducting assessments to ensure that the legitimate interests of both the College and individuals are safeguarded, the 'Legitimate Interest' basis respects data protection principles while enabling impactful and responsible data

processing for educational enhancement and student support. A Legitimate Interests Assessment (LIA) has been completed to consider and justify the requirements set by the GDPR.

Personal data (including pseudonymised) with special category data (confidential data)

The Article 9 conditions used for processing data in the 'Intervention-based Evaluation and Enhancement' pathway are outlined below.

- Substantial public interest (Article 9(2)(g)):

The rationale for utilising the 'Substantial Public Interest' legal basis for processing special category data within the College's Intervention-Based Enhancement user pathway. This basis is chosen to uphold societal values, promote educational equity, and ensure responsible data processing that aligns with the substantial public interest.

When utilising this specific legal basis for processing personal data that falls under the category of special data, it is essential to meet the condition outlined in Schedule 1 of the Data Protection Act (DPA) 2018, which substantiates the chosen Article 9 legal basis. Within the Intervention-based Evaluation and Enhancement user pathway, the appropriate prescribed conditions from Schedule 1 are shown below and must be clearly evidenced to ensure compliance.

Schedule 1 DPA 2018 conditions;

- *8. Equality of opportunity or treatment*
- *9. Racial and ethnic diversity at senior levels*

The 'Substantial Public Interest' legal basis is employed within the Intervention-Based Enhancement pathway to process special category data with the purpose of enhancing the learning experience, promoting educational equity, and contributing to societal goals of diversity, inclusion, and student well-being.

Processing special category data through this basis serves the substantial public interest by supporting educational equity and inclusion. (*conditions: 8. Equality of opportunity or treatment and 9. Racial and ethnic diversity at senior levels - Schedule 1 of the DPA*). Interventions based on data analysis ensure that all students receive equal opportunities to succeed and thrive within the College's environment. Utilising special category data for interventions in this user pathway enhances diversity and inclusion within the College community. The public interest is served by creating an environment that reflects the values of equal representation and acceptance of diverse perspectives. Processing special category data supports the substantial public interest in promoting social mobility and reducing inequalities. Tailored interventions can provide opportunities for underrepresented or disadvantaged student groups to excel academically.

Processing special category data allows for personalised interventions that enhance student outcomes. This aligns with the public interest in producing well-prepared graduates who contribute positively to society.

- Archiving, research and statistics (with a basis in law) (Article 9(2)(j)):

The 'Archiving, research and statistics' legal basis is employed within the 'Intervention-Based Evaluation and Enhancement' pathway to analyse special category data for the purpose of evaluating, enhancing and refining learning and teaching materials, policies and processes. This basis allows for research-driven insights, longitudinal assessment and statistical validity to drive evidence-based improvements.

The utilisation of this legal basis facilitates evidence-based decision-making by enabling comprehensive analysis of special category data. Research-driven evaluations contribute to informed interventions that foster a positive and impactful student experience, aligning with our commitment to educational excellence. Archiving special category data ensures the ability to assess the long-term impact of interventions over time. By maintaining historical records, the College can track the effectiveness of enhancements and interventions, supporting continuous refinement of educational strategies. Statistical analysis conducted under this basis enhances the rigor and validity of evaluations. Complex patterns and trends within special category data can be accurately identified, enabling a thorough understanding of the outcomes of various interventions.

Insights derived from special category data analysis inform the development of policies that promote inclusivity, diversity and student well-being. This basis aids in aligning institutional practices with evolving educational needs and societal expectations. By utilising the 'Archiving, research and statistic' basis, the College actively contributes to educational research initiatives. Our commitment to processing special category data responsibly supports broader scholarly endeavours aimed at advancing the understanding of student learning and success.

The College is dedicated to complying with data protection regulations and maintaining detailed records of data processing activities under the 'Archiving, research and statistics' basis within the 'Intervention-Based Evaluation and Enhancement' user pathway. Documentation ensures accountability, transparency, and facilitates audits if necessary.

Purpose limitations

Below are purpose limitations for the Intervention-based Evaluation and Enhancement user pathway. Data used or accessed should not be used for other purposes incompatible with the original intent.

Purpose for accessing the data	Personal data (without special category data) – Article 6 condition	Personal data (with special category data) – Article 9 condition and DPA Schedule 1 conditions for proving / evidencing Article 9 legal basis where applicable
a. Evaluation and Improvement of Learning and Teaching Materials: Learning analytics will be used to assess the effectiveness of learning and teaching materials, identify areas for improvement, and make necessary adjustments to enhance the educational experience for students. This processing aligns with the College's obligation to provide high-quality education.	In terms of widening participation: Public Task (Article 6(1)(e))	Substantial public interest (Article 9(2)(g))
	In terms of general improving educational resources/teaching experience: Legitimate Interests (Article 6(1)(f))	(conditions '8. Equality of opportunity or treatment' and '9. Racial and ethnic diversity at senior levels - Schedule 1 of the DPA)
b. Policy and Process Evaluation: Personal data will be analysed to evaluate existing policies and processes related to the student experience. The insights gained from	Public Task (Article 6(1)(e))	Substantial public interest (Article 9(2)(g))

this analysis will inform decision-making and enable the College to develop and implement effective policies and processes that promote student success, inclusion and well-being.		(conditions '8. Equality of opportunity or treatment' and '9. Racial and ethnic diversity at senior levels' conditions
c. Statistical Research and Reporting: The non-anonymised personal data collected for the Intervention-Based Evaluation and Enhancement pathway may be used for statistical research and reporting purposes e.g. longitudinal study, provided that appropriate safeguards are in place to protect individuals' privacy. Any data used for research or reporting will be aggregated and or anonymised to prevent the identification of individuals.	Public Task (Article 6(1)(e))	Archiving, research and statistics (with a basis in law) (Article 9(2)(j))

Pathway 3 - Academic Tutor and Enhancing Individual Pastoral Care

The Academic Tutor and Enhancing Individual Pastoral Care access pathway will only be used by those who are academic tutors, personal tutors or those providing pastoral care so that they can see a summary of a student and then arrange follow-ups to provide academic help and pastoral care where necessary.

Students have access to data about their own learning to help them set goals and monitor progress against learning objectives. Also, data on identifiable, individual students' activities is used to inform staff supporting those individuals or support targeted and tailored interventions with those individuals.

The scope/level of access will be limited to the specific group of students who have been allocated to them. All data will be non-anonymised as students need to be identifiable on an individual level to gain the level of care needed and for follow-ups. This pathway involves the processing of personal data (non-anonymised) without special category data.

Legal basis for Academic Tutor and Enhancing Individual Pastoral Care

The legal bases for processing data within the Intervention-Based Evaluation and Enhancement pathway are outlined below.

- Legitimate Interests (Article 6(1)(f)):

The 'Legitimate Interest' legal basis is utilised for processing non-special category personal data within our College's Academic Tutor and Enhancing Individual Pastoral Care access pathway. This basis is chosen to facilitate the provision of academic help and pastoral care to students while upholding the College's legitimate interests and respecting privacy. The College has a legitimate interest in ensuring students' well-being and academic progress. This pathway enables academic tutors/personal tutors to provide individualised support, address academic challenges, and offer pastoral care while respecting the privacy rights of students.

The College has a legitimate interest in tracking student progress to enhance their academic experience and foster success. Regular follow-ups involve monitoring students' academic performance, addressing any difficulties they encounter, and ensuring that

they remain engaged and motivated in their studies. Providing pastoral care is in line with the College's legitimate interest in ensuring the overall well-being of students, addressing emotional and psychological needs to create a positive environment for learning and personal growth.

Ensuring student well-being aligns with the College's legitimate interest in creating a positive and supportive learning environment. It encompasses various activities aimed at promoting a healthy and safe atmosphere for students to thrive academically and personally.

- Legal Obligation (Article 6(1)(c)):

The 'Legal Obligation' basis is utilised within the Academic Tutor and Enhancing Individual Pastoral Care pathway to provide academic help, and personalised pastoral care, and to fulfil specific legal obligations that pertain to the well-being and academic success of our students.

This legal basis is invoked when there exists a legal requirement mandating the College to process certain personal data to meet its obligations as an educational institution. These obligations include ensuring student welfare, monitoring academic progress or adhering to educational regulations. The Academic Tutor and Enhancing Individual Pastoral Care pathway involves the processing of non-anonymised data, as students need to be individually identifiable to receive the level of care and follow-up necessary for their well-being and academic progress.

The College has a legal obligation to provide adequate academic support and pastoral care to its students. This basis ensures that academic tutors and personal tutors can access relevant data to arrange follow-ups, provide assistance, and meet their obligations for individual student support.

- Contract (Article 6(1)(b)):

The contractual basis is invoked when the responsibilities of academic tutors/personal tutors explicitly include providing academic help, arranging follow-ups, and delivering personalised pastoral care to students. This basis is applicable because these duties are established and agreed upon in the contract between the College and academic tutors/personal tutors.

The contractual basis aligns with the legal framework governing the relationship between the College and academic tutors/personal tutors. It underscores the importance of fulfilling contractual obligations, ensuring that students receive the support and care they expect based on the terms of the contract. By leveraging the contractual basis, academic tutors/personal tutors can offer personalised support tailored to individual student needs. This includes arranging follow-ups, addressing academic challenges and providing pastoral care as specified in the contract. It enables academic tutors/personal tutors to make informed decisions based on the contractual guidelines, contributing to a more effective support system.

The College, academic tutors and personal tutors are accountable for upholding the terms of the contract. This policy emphasises the transparent and responsible use of personal data to deliver academic support and pastoral care. Documentation of activities and adherence to contractual obligations are essential components of this accountability and are written in an umbrella DPIA. The contractual basis requires clear communication between the College, academic tutors and personal tutors regarding the expectations, responsibilities and scope of support outlined in the contract. Open channels of communication foster a collaborative environment, ensuring that students receive the necessary support and pastoral care.

Using the contractual basis reinforces the alignment of academic tutor and personal tutor activities with the College's mission of providing quality education and fostering student success. By delivering the support and care outlined in the contract, academic tutors/personal tutors contribute to creating a positive and enriching educational experience.

Purpose Limitations

Below are purpose limitations for the Academic Tutor and Enhancing Individual Pastoral Care user pathway. Data used or accessed should not be used for other purposes incompatible with the original intent.

Purpose for accessing the data	Personal data (without special category data) – Article 6 condition	Personal data (with special category data) – Article 9 condition and DPA Schedule 1 conditions for proving / evidencing Article 9 legal basis where applicable
a. Providing academic support and guidance to students: Including personalised feedback on academic performance and recommendations for improvement. Offering one-on-one or group tutoring sessions, addressing specific academic challenges, and guiding students towards a better understanding and mastery of the curriculum.	Legal obligation (Article 6(1)(c))	N/A
b. Offering individualised pastoral care and support: Addressing students' well-being, mental health, and personal challenges. Addressing their emotional concerns and helping them navigate personal challenges that may impact their academic performance. It can include discussions on mental health, stress management, and providing referrals to appropriate support services.	Legitimate Interests (Article 6(1)(f))	N/A
c. Arranging follow-ups for student progress: Regular follow-ups involve monitoring students' academic performance, addressing any difficulties they encounter, and ensuring that they remain engaged and motivated in their studies. This activity is essential to identify challenges early, offer timely academic guidance, and provide additional resources when necessary.	Contract (Article 6(1)(b))	N/A

d. Monitoring and evaluating the effectiveness of academic programs, policies related to personal tutoring and interventions to enhance student learning outcomes and overall satisfaction.	Legal obligation (Article 6(1)(c))	N/A
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Pathway 4 - Administration and Professional Services

Data is used to support the delivery of education and improve the student experience. This includes quality assurance, academic support and process enhancements, for example this may include identifying and contacting students who have not submitted assignments.

The Administration and Professional Services access pathway will be used by a wide range of roles to perform admin tasks relating to numerous output activities such as:

- Quality assurance
- General administration
- Academic support
- Institutional regulatory requirements
- Process enhancement

Data needed varies between anonymised, personal data (pseudonymised, and non-anonymised) without special category data, as well as personal data (pseudonymised and non-anonymised) with special category data.

The scope/level of access can be as broad as the institutional level and as narrow as a group or class of students.

Anonymised data can be used with no further restrictions. Personal data (pseudonymised, and non-anonymised) without special category data, as well as personal data (pseudonymised and non-anonymised) with special category data is subject to further restrictions including a justification for processing through a lawful basis, purpose limitations and compliance with data protection laws.

Legal basis for Administration and Professional Services

Personal data (including pseudonymised) without special category data (restricted data)

The legal basis for accessing and processing data within the Administration and Professional Services pathway of the College's learning, is established as follows:

- Public Task (Article 6(1)(e))

Several reasons make the 'public task' legal basis appropriate for the Administration and Professional Services user pathway. The College is a public institution with a primary mission of providing education and contributing to the advancement of knowledge. Processing personal data for administrative tasks directly supports this core educational function, making it a legitimate 'public task.' The pathway involves various administrative activities essential for the efficient functioning of the College. These tasks are necessary to ensure the quality of education, support students and staff, and meet institutional regulatory requirements.

As a public entity, the College is accountable to the public and regulatory bodies for its operations. The 'public task' legal basis provides a clear and transparent framework for processing personal data, ensuring that the College's actions are in line with its official functions. The Administration and Professional Services user pathway often involves process enhancement to improve the efficiency and effectiveness of administrative activities. These enhancements contribute to the overall enhancement of the educational experience, aligning with the institution's public duty. The ability to set different access levels within the pathway, from institutional to specific student groups or classes, allows the College to tailor its administrative support. This flexibility is in line with a public task's approach to fulfilling diverse needs while adhering to official functions.

The use of the 'public task' legal basis ensures that the College complies with data protection regulations while carrying out its essential functions. It provides a lawful and justifiable framework for processing personal data without relying on individual consent, which may not always be practical for administrative tasks at a large institution.

- Legitimate Interests (Article 6(1)(f):

The legitimate interest legal basis allows organisations to process personal data when they have a genuine and reasonable interest, provided it does not unduly infringe upon the rights and freedoms of individuals. In the context of the College's administrative functions, there is legitimate interests in efficiently managing operations, improving processes and providing effective academic support, which can be balanced with the privacy rights of individuals.

The College needs to efficiently manage administrative tasks, such as quality assurance, academic support and general administration, to deliver a high-quality educational experience. Processing personal data for these purposes can be seen as necessary for the legitimate functioning of the institution. The Administration and Professional Services user pathway often involves process enhancement to better serve students, staff and the institution. This improvement can be driven by a legitimate interest in providing a more effective and streamlined educational environment.

Legitimate interests often align with the overall goals and mission of the College, such as providing effective education, supporting students, and maintaining institutional requirements. The College has conducted a legitimate interest assessment (LIA) to process personal data within this pathway to ensure that the interests of the institution or a third party are not overridden by the interests or fundamental rights and freedoms of the individuals whose data is being processed. The LIA helps demonstrate that a careful balance has been struck between legitimate interests and privacy rights, making the use of this legal basis justifiable.

- Legal Obligation (Article 6(1)(c)):

Using 'legal obligation' as a legal basis ensures that the College meets its legal duties while processing personal data within the Administration and Professional Services pathway. It provides a clear and specific justification for data processing activities that are mandated by law or regulations, helping the College maintain compliance with relevant legal requirements. The College is subject to various legal and regulatory requirements, including those related to education, reporting and administrative obligations. These obligations may necessitate the processing of personal data within the Administration and Professional Services pathway to fulfilling legal mandates.

The College has policies or contractual obligations that necessitate certain administrative tasks, such as maintaining student records, reporting to regulatory bodies and ensuring compliance with accreditation standards. These obligations may require the processing

of personal data within the scope of the pathway. Providing academic support to students often involves meeting legal requirements, such as ensuring equal opportunities, providing accommodations and complying with educational regulations. These obligations may require the collection and processing of personal data to fulfil the College's legal duties.

While data protection regulations such as the General Data Protection Regulation (GDPR) primarily outline the legal bases for processing personal data, they also impose legal obligations on organisations to protect individuals' privacy rights and handle personal data responsibly. Complying with these obligations may require specific data processing within the pathway. The College is legally obligated to maintain accurate records, conduct audits and provide data for reporting purposes. This may involve processing personal data within the pathway to ensure compliance with these legal obligations. Local, national, or international laws impose statutory requirements on the College that necessitate the processing of personal data for administrative purposes, the legal obligation basis can be used to justify this processing.

Personal data (including pseudonymised) with special category data (confidential data)

The Article 9 conditions used for processing data in the Administration and Professional Services pathway are outlined below.

- Archiving, research and statistics (with a basis in law) (Article 9(2)(j)):

The processing of special category data in the Administration and Professional Services user pathway is based on the legal principle of 'Archiving, research, and statistics' with a recognised legal foundation. This legal basis permits the College to conduct essential research, statistical analysis, and archiving activities while adhering to applicable data protection regulations. The primary purpose of processing special category data under this policy is to advance knowledge, contribute to the public interest, preserve historical records and fulfil specific legal requirements. These activities may include academic research, statistical analysis, historical documentation and compliance with regulatory reporting obligations.

The College can conduct statistical analyses using special category data when the analysis is conducted for legitimate research or statistical purposes. The data must be anonymised or pseudonymised when appropriate and the analysis must adhere to recognised statistical methodologies. Special category data may be archived for historical documentation, preserving records that have a basis in law, such as regulatory requirements or historical significance. Proper measures should be taken to protect the privacy of individuals when archiving data. The College can use this legal basis to fulfil legal obligations that require the processing of special category data. This may include reporting to regulatory bodies, complying with government mandates, or fulfilling obligations under relevant laws.

- Substantial public interests (Article 9(2)(g)):

The processing of special category data within the Administration and Professional Services user pathway under the legal basis of 'Substantial Public Interests' is justified when the data processing serves significant public interests, such as safeguarding, counselling, crime prevention, equality and diversity, research for societal betterment or historical, statistical and archiving purposes. This legal basis provides a framework for processing sensitive data when the public benefit outweighs individual privacy concerns.

When utilising this specific legal basis for processing personal data that falls under the category of special data, it is essential to meet the condition outlined in Schedule 1 of the Data Protection Act (DPA) 2018, which substantiates the chosen Article 9 legal basis. Within the Administration and Professional Services user pathway, the appropriate

prescribed conditions from Schedule 1 are shown below and must be clearly evidenced to ensure compliance.

Schedule 1 DPA 2018 conditions;

- 8. *Equality of opportunity or treatment*
- 9. *Racial and ethnic diversity at senior levels*
- 10. *Preventing or detecting unlawful acts*

The College can use special category data to support equality and diversity initiatives, such as assessing policies and practices to promote inclusivity or addressing societal challenges related to equality (*condition 8. Equality of opportunity or treatment- Schedule 1 of the DPA*). Special category data can be processed for research purposes when the research serves substantial public concerns, contributes to public policies, or tackles societal challenges (*condition 9. Racial and ethnic diversity at senior levels - Schedule 1 of the DPA*).

Purpose Limitations

Below are purpose limitations for the Administration and Professional Services user pathway. Data used or accessed should not be used for other purposes incompatible with the original intent.

Purpose for accessing the data	Personal data (without special category data) – Article 6 condition	Personal data (with special category data) – Article 9 condition and DPA Schedule 1 conditions for proving / evidencing Article 9 legal basis where applicable
a. Quality Assurance: Analysing data to ensure the quality and effectiveness of administrative processes and services provided by the College.	Public Task (Article 6(1)(e))	Archiving, research and statistics (with a basis in law) (Article 9(2)(j))
b. General Administration: Carrying out administrative tasks such as record-keeping, student enrolment, scheduling, and resource management.	Legitimate Interests (Article 6(1)(f))	Archiving, research and statistics (with a basis in law) (Article 9(2)(j))
c. Academic Support: Providing necessary support to faculty, staff, and students in academic matters, such as student advising, course selection, and academic progress monitoring.	Legitimate Interests (Article 6(1)(f))	Archiving, research and statistics (with a basis in law) (Article 9(2)(j))
d. Institutional Regulatory Requirements: Fulfilling regulatory, reporting, and compliance obligations as required by relevant authorities and governing bodies.	Legal Obligation (Article 6(1)(c))	Substantial public interests (Article 9(2)(g)) (conditions '8. Equality of opportunity or treatment', '9. Racial and ethnic diversity at

		<i>senior levels', '10. Preventing or detecting unlawful acts' - Schedule 1 of the DPA)</i>
e. Process Enhancement: Identifying opportunities for process improvement and implementing measures to enhance administrative efficiency and effectiveness.	Public Task (Article 6(1)(e))	Archiving, research and statistics (with a basis in law) (Article 9(2)(j))
f. Contacting Students: Utilising personal data (including non-anonymised data), to communicate with students regarding important administrative matters, academic updates, or institutional announcements.	Legitimate Interests (Article 6(1)(f))	Substantial public interests (Article 9(2)(g)) <i>conditions '8. Equality of opportunity or treatment', '9. Racial and ethnic diversity at senior levels', '10. Preventing or detecting unlawful acts' - Schedule 1 of the DPA)</i>
g. Linking Externally Sourced Datasets: Connecting external datasets with College data, including personal data, to perform comprehensive analyses or establish relevant connections for administrative purposes.	Legitimate Interests (Article 6(1)(f))	Archiving, research and statistics (with a basis in law) (Article 9(2)(j))

Pathway 5 – Research

The research pathway is where access to the UDP and its data is needed for research studies and answering research questions by staff or students who need to undertake research. Data needed varies between anonymised, personal data (pseudonymised and non-anonymised) without special category data and personal data (pseudonymised and non-anonymised) with special category data.

Data is used to explore whether there is a relationship between variables, for example between a successful student outcome and particular learning activities. Analytics for research may involve aggregate, pseudonymised data or individualised data. This also involves activities that anticipate sharing findings through presentations, publications or other outputs beyond the College.

The scope/level of access can be as broad as the institutional level and as small as a group/class of students.

Anonymised data can be used with no further restrictions (other than ethical considerations). Personal data (pseudonymised, and non-anonymised) without special category data, as well as personal data (pseudonymised and non-anonymised) with special category data, is subject to further restrictions including a justification for processing through a lawful basis, purpose limitations, ethical considerations and compliance with data protection laws. Pursuant to the data involved and the reasoning for the processing, Research based activities will undertake one of two processes in order to review and consider the legitimacy of processing;

- Following the purpose of the user pathway and good practice laid out in the Learning Analytics Policy will cover initial low-risk ethical access to the data. Once a research

question has been identified, or to initially access data for research purposes, a risk-level assessment form will be completed. Low-risk studies incorporate anonymous data and are aligned with the original intent and voice of the data. Approval of low-risk research covers the obligations for ethical approval and can be tracked and audited through the technological solution.

- High risk studies will complete a manual form for review by the Educational Ethics Review Process (EERP), with further review by LASG if necessary.

Legal basis for Research

The legal basis for conducting research using learning analytics within the Unified Data Platform (UDP) and its data, is established as follows:

Personal data (including pseudonymised) without special category data (restricted data)

- Legitimate Interest (Article 6(1)(f):

The processing of personal data, including pseudonymised and non-anonymised data, and special category data, for research purposes, is justified based on the legitimate interests pursued by the researchers and the College. The research pathway aims to generate new knowledge, improve educational practices, and contribute to the advancement of learning and teaching approaches, as well as evaluate these new approaches.

If students will be invited to participate in a study, researchers will clearly communicate the purposes of the research, the types of data being collected, and any potential risks or benefits associated with participation.

- Public Task (Article 6(1)(e))

The College has a public duty to conduct research for the advancement of knowledge and societal development. Learning analytics falls under this educational and research purpose, where the College's task involves improving educational outcomes, understanding learning patterns, and enhancing the quality of education. Learning analytics not only benefits individual students and staff but also contributes to the broader public interest by improving the effectiveness of educational programs and enhancing the overall quality of education.

The College is an established and recognised institution with the authority to provide education and conduct research. The processing of personal data for research purposes is an exercise of this official authority granted to universities.

The 'public task' basis allows for a balance between the interests of the College (conducting research, improving education) and the rights and freedoms of individuals whose data is being processed. This basis ensures that data processing is not solely for the benefit of the College but also serves broader societal interests.

Individuals within the College community (staff and students) have a legitimate expectation that their data will be used for research and educational purposes to enhance their learning experience and contribute to knowledge.

The College must still adhere to data protection principles, such as data minimisation, purpose limitation and security measures. Additionally, it is crucial to ensure compliance with applicable data protection laws and ethical considerations.

Personal data (including pseudonymised) with special category data (confidential data)

The Article 9 conditions used for processing data in the Research pathway are outlined below.

- Archiving, research and statistics (with a basis in law) (Article 9(2)(j)):

The College acknowledges "Archiving, research and statistics" as the most appropriate legal basis for processing special category data in the research user pathway. This basis allows for the lawful processing of sensitive data for genuine research purposes, scientific inquiry, historical significance, and statistical analysis. The research user pathway encompasses research studies and investigations undertaken by staff and students within the College. The processing of special category data is permitted under this pathway when it is directly related to advancing knowledge, exploring relationships between variables and enhancing educational outcomes.

Processing special category data for research purposes serves the public interest by contributing to the improvement of educational programs, understanding societal trends and fostering scientific advancements. This aligns with the College's commitment to its academic mission of promoting learning, research, and societal progress.

The College recognises the sensitivity of special category data and upholds a strong commitment to ethical research practices. All data processing activities under this pathway must adhere to strict ethical standards, ensuring the protection of individuals' privacy and dignity throughout the research process. The College will maintain comprehensive records documenting the legal basis, purpose, scope, ethical considerations and safeguards associated with processing special category data for research. These records will demonstrate the institution's commitment to accountability and compliance. These will be recorded via the EERP process.

Purpose Limitations

Personal data, including pseudonymised and non-anonymised data, and special category data, will be processed strictly for the following research purposes:

- Addressing the specific research objectives outlined in the research study or research question. Special category data may be used if essential to the research question.
- Conducting qualitative studies involving targeted groups of students (special category and personal data may be used), where identifiable data is necessary to invite them to participate in the study.
- Connecting externally held datasets to the UDP, where identifiable data (personal data) is needed for the purpose of data linkage. Special category data may be used if essential to the research question.
- Conducting longitudinal studies that require identifiable data to link individuals over time. Special category data may be used if essential to the research question.

Other research requirements

In addition to legal requirements, the research pathway upholds the following considerations:

- **Privacy and Confidentiality:**
Personal data will be treated with utmost confidentiality and privacy. Access to personal data will be restricted to authorised researchers and personnel involved in the research project, and appropriate security measures will be implemented to prevent unauthorised access, loss or disclosure.
- **Informed Consent:**
If students have been contacted to participate, researchers will ensure that individuals are fully informed about the research aims, data collection processes and any potential

risks or benefits associated with participation. In this case individuals will have the right to make an informed decision about their participation and withdraw consent at any time within.

- **Data Protection and Security:**
Appropriate technical and organisational measures will be implemented to protect personal data from unauthorised access, alteration or destruction. Data handling procedures will adhere to best practices in data protection and security.
- **Data Sharing and Transparency:**
Researchers will adhere to principles of data sharing and transparency where applicable. When sharing research findings or datasets, data will be appropriately anonymised, pseudonymised and/or aggregated to prevent re-identification of individuals.
- **Research Ethics Committee:**
Research projects involving personal data and special category data will undergo ethical review by the [College's Education Ethics Review Process](#) to ensure compliance with ethical guidelines and principles.
- **Data Anonymisation and Pseudonymisation:**
The College shall employ appropriate anonymisation or pseudonymisation techniques to safeguard the privacy and confidentiality of individuals whose data is being processed. These methods must be applied in accordance with best practices and legal requirements.

The College shall employ appropriate anonymisation or pseudonymisation techniques to safeguard the privacy and confidentiality of individuals whose data is being processed. These methods must be applied in accordance with best practices and legal requirements.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Automated decision-making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

1. Where we have notified you of the decision and given you 21 days to request a reconsideration.
2. Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.

3. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

Data sharing

We may have to share your data with third parties, including third-party service providers and other entities in the College group.

We require third parties to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the UK though if we do, you can expect a similar degree of protection in respect of your personal information.

Why might you share my personal information with third parties?

We may share your personal information with third parties where required by law, where it is necessary to administer the relationship with you or where we have another legitimate interest in doing so.

Which third-party service providers process my personal information?

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within the College group.

How secure is my information with third-party service providers and other entities in our group?

All our third-party service providers and other entities in the College group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

What about other third parties?

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business and operations of the College. We may

also need to share your personal information with a regulator or to otherwise comply with the law.

Transferring information outside the UK

We may transfer the personal information we collect about you to countries outside the UK and/or to a country where there is not an adequacy decision by the United Kingdom in place. This means that the [country **OR** countries] to which we transfer your data are not automatically deemed to provide an adequate level of protection for your personal information.

However, to ensure that your personal information does receive an adequate level of protection we have put in place the following appropriate measure[s] to ensure that your personal information is treated by those third parties in a way that is consistent with and which respects the UK laws on data protection:

- Integration of the EUs Standard Contract Clauses (SCC's) plus UK Addendum
- Integration of the UK International Data Transfer Agreement (IDTA)
- Completion of a Transfer Risk Assessment
- Compliance with the US-UK Privacy Bridge

Data security

We have put in place measures to protect the security of your information.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Data retention

How long will you use my information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different records the College holds are available in our retention policy which is available on this website:

<http://www.imperial.ac.uk/media/imperial-college/administration-and-support->

[services/records-and-archives/public/RetentionSchedule.pdf](#). To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

Rights of access, correction, erasure, and restriction

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the College's Data Protection Officer in writing.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the College's Data Protection Officer or access the system / platform where your data was provided / consent given directly.

Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Data Protection Officer

We have appointed a Data Protection Officer to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the Data Protection Officer at:

Imperial College London
Data Protection Officer
Exhibition Road
Faculty Building Level 4
London SW7 2AZ

e-mail: dpo@imperial.ac.uk

You have the right to make a complaint at any time to the Information Commissioner's Office (**ICO**), the UK supervisory authority for data protection issues.

Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.