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# Falmouth and Exeter Students' Union Privacy Notice

*This document is intended to serve as general guidance only and does not constitute legal advice. The application and impact of laws can vary widely based on the specific facts involved. This document should not be used as a substitute for consultation with professional legal or other competent advisers. Before making any decision or taking any action, you should consult a professional. Neither Data Protection Advisory Service (DPAS) nor their legal advisers will review any information you provide on the document for legal accuracy or sufficiency.*

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<b>Owner</b>	<b>Sarah Davey (Chief Executive)</b>		
<b>Responsible for Delivery Falmouth and Exeter Students' Union</b>	Karen Draycott		
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## 1. WHO WE ARE?

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**Falmouth & Exeter Students' Union** (“the SU”) is a charitable incorporated organisation (CIO) registered in England and Wales, under charity registration number 1193045, whose registered office is at Falmouth & Exeter Students' Union, Penryn Campus, Penryn, Cornwall, TR10 9FE. The SU are the ‘Controller’ of any personal information we collect about you.

The SU is an organisation run for the benefit of students who attend Falmouth and Exeter University Penryn campus.

The SU must process personal data (this may at times also include special category personal data) so that it can provide their services.

The SU will process your personal information in accordance with all applicable laws, including the UK General Data Protection Regulations (UK GDPR) and the Data Protection Act 2018 (DPA 2018).

## 2. WHAT IS PERSONAL DATA?

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The term “Personal Data” means any information relating to you that identifies you, or through which you can be identified, directly or indirectly. In particular, by reference to an identifier such as a name, an identification number, location data, or an online identifier or to one or more factors specific to you physical, physiological, genetic, mental, economic, cultural or social identity.

## 3. THE PURPOSE OF THIS PRIVACY NOTICE

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The purpose of this privacy notice is to let you know how we process your Personal Data when you visit our website or interact with our services. This privacy notice therefore explains what Personal Data we collect from you and how we collect, use, store and disclose it. This privacy notice also contains information about your rights under applicable data protection legislation.

We are committed to compliance with data protection laws. We believe that ensuring data protection compliance is the foundation of trustworthy business relationships.

It is important that you read this privacy notice together with any other privacy notice we provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

## 4. HOW DO WE USE YOUR PERSONAL DATA?

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We collect your personal data for the purpose of providing you with our services and support. We will collect data about you, both personal data (such as your name and contact details) and sensitive personal data, if applicable. Sensitive personal data, which is referred to as special



category personal data, is defined as data that needs more protection due to its sensitive nature. Additional obligations are placed on the Data Controller and/or Processor for them to process special category personal data lawfully, which comes under Article 9 of the UK GDPR.

We will only use your Personal Data for the purpose we collected it and in accordance with the law. We will not use your Personal Data for any other purpose without your prior consent. The only exception to this is if it is required or permitted by law, such as where it is necessary for the prevention, investigation, detection or prosecution of criminal offences or the enforcement of civil law matters.

In some jurisdictions, we are restricted from processing some of the data outlined above. In such circumstances, we will not process the data in those jurisdictions.

## 5. HOW DO WE COLLECT YOUR PERSONAL DATA?

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Most of the personal information we process is provided to us directly by you for one of the following reasons:

- The provision of support and advice services.
- Club and society management.
- Accounting information.
- Handling issues directly with the university.
- To operate the allocation of SU cars and minibuses.
- Carry out criminal conviction background checks, such as a DBS check.

We may share this information with third parties where it is necessary, or where you have agreed to do so, for example:

- Accounting companies.
- IT service providers.
- Insurance companies
- Other universities.
- Regulatory authorities.

## 6. OUR LEGAL BASES FOR PROCESSING YOUR PERSONAL DATA

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The UK GDPR, (Our Global standard of compliance) requires that a Controller must have a legal basis for processing Personal Data. In most instances, our legal bases for processing your personal information are:

- (a) Your consent. We will obtain your consent via the Universities at the point of you registering to be a student and you are able to withdraw your consent at any time. You can do this by contacting [info@thesu.org.uk](mailto:info@thesu.org.uk).
- (b) We have a contractual obligation.



- (c) We have a legal obligation.
- (d) We have a vital interest.
- (e) We need it to perform a public task.
- (f) We have a legitimate interest.

## 7. MARKETING

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With your consent we may contact you via email to promote or inform you about our services. If you have provided consent, we may also contact you to promote services provided by third parties. Where we are legally required to obtain your consent to provide you with marketing materials, we will only provide you with such marketing materials if you have provided consent for us to do so.

Where we contact you for direct marketing purposes, we will comply with the requirements set out in the Privacy and Electronic Communications (EC Directive) Regulations 2003 (PECR).

To start or stop receiving marketing information from us, simply contact us by e mailing [info@thesu.org.uk](mailto:info@thesu.org.uk)

## 8. HOW LONG WE WILL KEEP YOUR PERSONAL DATA

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We will only keep your personal data for as long as is necessary to fulfil the purposes we collected it for, which may include satisfying any legal, accounting, or reporting requirements. The retention period depends on the type of Personal Data and the reason we are processing it.

When calculating the appropriate retention period for your data, we consider the nature and sensitivity of the data, the purposes for which we are processing the data, and any applicable statutory retention periods. Using these criteria, we regularly review the personal data which we hold and the purposes for which it is held and processed.

When we determine that personal data can no longer be retained (or where we must comply you request us to delete your data in accordance with your right to do so) we ensure that this data is securely deleted or destroyed.

## 9. SECURITY OF YOUR PERSONAL DATA

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In order to protect your personal data, we put in place appropriate organisational and technical security measures. These measures include ensuring our internal IT systems are suitably secure and implementing procedures to deal with any suspected data breach.

In the unlikely event of a data breach, we will take steps to mitigate any loss or destruction of data and, if required, will notify you and any applicable authority of such a breach.

Although we use appropriate security measures once we have received your personal data, you will appreciate that the transmission of data over the internet (including by email) is never completely



secure. We endeavour to protect Personal Data, but we cannot guarantee the security of data transmitted to or by us.

## 10. TRANSFERRING YOUR PERSONAL DATA OUTSIDE THE EEA

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To provide our services, we may need to share your personal data with third parties and suppliers outside the European Economic Area (the “**EEA**”). If we do this, we will ensure your Personal Data receives the same protection as if it were being processed inside the EEA. For example, our contracts with our suppliers stipulate the standards they must follow to process personal data.

## 11. YOUR RIGHTS

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You have rights under the data protection legislation and, subject to certain legal exemptions, we must comply when you inform us that you wish to exercise these rights. There is no charge, unless your requests are manifestly unfounded or excessive. In such circumstances, we may make a reasonable charge or decline to act on your request. Before we action your request, we may ask you for proof of your identity. Once in receipt of this, we will process the request without undue delay and within one calendar month. In order to exercise your rights please contact the Data Protection Officer at DPAS.

You can contact us if you wish to complain about how we collect, store, and use your Personal Data. It is our goal to provide the best possible remedy with regard to your complaints.

However, if you are not satisfied with our answer, you can also contact the relevant competent supervisory authority. In the UK, the relevant supervisory authority is the ICO, contact details of which can be found below.

Your rights in connection with personal information are set out below:

**Subject Access Request** - You have a right to receive a copy of all the Personal Data we hold about you.

**Rectification** - If any of the Personal Data we hold about you is incomplete or inaccurate, you have a right to have it corrected.

**Erasure** - This is also known as the “right to be forgotten”. You have a right to ask us to delete your Personal Data where there is no good reason for us continuing to process it. However, certain criteria apply and if we have a legitimate reason to continue processing your personal data, we will not be legally required to delete it.

**Objection** - You have a right to object where we are relying on legitimate interests as our legal basis for processing your Personal Data but, in certain circumstances we may be able to continue with the processing. For example, if we have compelling legitimate grounds which override your interests, rights and freedoms or your personal information is needed for the establishment, exercise, or



defence of legal claims. However, you have an absolute right to object to us processing your Personal Data for direct marketing purposes.

**Restriction** - You have a right to ask us to restrict the processing of your Personal Data in certain circumstances. For example, you may require us to suspend processing information about you whilst checks are made to ensure it is accurate.

**Portability** - You have the right to ask us to transfer any Personal Data you have provided to us to another party, subject to certain criteria being satisfied. We will provide this Personal Data in a structured, commonly used and machine-readable format.

**Right to withdraw consent** - If you have given us your consent for the processing of your Personal Data, you can withdraw this at any time. Please note, the withdrawal has no effect on the legality of the data processing carried out in the past on the basis of your consent. To exercise your right to withdraw consent contact us at [info@thesu.org.uk](mailto:info@thesu.org.uk)

**Right to complain** - If you are unhappy with the way in which your personal information has been or is being processed, you have the right to make a complaint about it to the Information Commissioner's Office (ICO). They can be contacted at:

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

[www.ico.org.uk](http://www.ico.org.uk)

## 12. YOUR OBLIGATIONS

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If any of your personal data changes whilst you are a user of our services, it is important that you update the information within your account to ensure that the data we hold about you is accurate and up to date.

## 13. HOW TO CONTACT OUR DATA PROTECTION OFFICER

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We have appointed a Data Protection Officer (DPO) to handle data protection matters. If you wish to contact us in order to exercise any of your rights referred to above or any other data protection matter, please contact our DPO at DPAS.

## 14. THE DATA PROTECTION PRINCIPLES

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We will comply with the UK GDPR and the DPA 2018. Article 5 of the UK GDPR contains the data protection principles, which require that Personal Data shall be:



- Processed lawfully, fairly and in a transparent way.
- Collected for specified, explicit and legitimate purposes and not used in any way that is incompatible with those purposes.
- Adequate, relevant, and limited to what is necessary.
- Accurate and, where necessary, kept up to date.
- Kept for no longer than is necessary for the purposes we have told you about.
- Kept securely.

We operate according to the principles of the UK GDPR, and PECR, regardless of the location of the data subject.

## **15. CHANGES TO THIS PRIVACY NOTICE**

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We reserve the right to update this privacy notice from time to time. Updates to this privacy notice will be published on our website. To ensure you are aware of when we make changes to this privacy notice, we will amend the revision date at the top of this page. Changes apply as soon as they are published on our website. We therefore recommend that you visit this page regularly to find out about any updates that may have been made.





## VERSION CONTROL

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Version No.	Author	Effective Date	Status/Comments
V1.0	Charlotte Bolt	26.04.2022	Complete

## REVIEW AND APPROVAL

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This policy will be reviewed regularly and may be altered from time to time in light of legislative changes or other prevailing circumstances.

Reviewer	Job Title	Signed Off Date	Status/Comments
Charlotte Bolt	Senior Data Privacy Officer	19.05.2022	Reviewed

Next Review Date
All policies should be reviewed at least annually or when significant change occurs to the policy subject matter. The next review date for this policy is September 2023