

External Examiners Privacy Notice

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A. Introduction

The purpose of this notice is to explain to you how the University may use any personal data collected from you. This notice contains examples of many of the common uses of such data. External Examiners (including Independent Assessors for integrated apprenticeship End Point Assessments) are made aware of the policy as they are engaged by the University. The policy is also available on the University website.

B. Who is processing personal and sensitive personal data?

Leeds Trinity University determines why and how your personal data is used and, as such, is considered legally to be the data controller of the personal data. This places legal obligations on the University including that the University must process personal data fairly and lawfully and in a transparent manner.

The University is registered with the Information Commissioner's Office as a data controller under the reference Z4817023.

C. What personal data do we process

Leeds Trinity University processes personal data that is necessary for us to fulfil our obligations as an employer. This includes:

- information about you and your engagement with us and your communications with us including details of your employment history, education and qualifications
- financial information about you gathered for the purposes of payment of fees and expenses
- copies of passports, visas, and other documents required to ensure compliance with Home Office and other conditions
- photographs and other identification information
- information about your performance management, and training and development
- information about your use of Information Technology services
- Name and Institution and external examiners' / independent assessor reports

Special category data

We may also process "special category data" which includes information about your racial or ethnic origin, religious beliefs or other beliefs, sexual orientation, physical or mental health. We may also process information concerning any criminal offences or criminal proceedings.

D. The legal basis for processing your personal and special category personal data

(i) Contract

We may use and process your personal data and special category data when it is necessary to do so in order to fulfil the terms of your engagement.

The University only collects information that is necessary to manage your engagement with us and in order to meet its legal and statutory obligations in delivering the contract.

(ii) Legitimate interests

We may use and process your personal information where it is necessary for us to pursue our legitimate interests or a third party's legitimate interests. Such legitimate interests can include:

- monitoring and investigating the use of IT services to maintain network and information security
- testing our systems to ensure optimum performance
- verifying the accuracy of data that we hold
- analysis of data to evaluate performance throughout the University
- promoting equality and diversity throughout the university
- the prevention and detection of crime and assisting investigations carried out by relevant authorities
- dealing with disciplinary matters
- dealing with complaints

(iii) Legal obligation

We may also process your personal data in order to comply with our legal obligations. This can include:

- provision of personal and special category data to regulatory bodies where the University is legally required, in order to fulfil statutory obligations
- compliance with regulatory obligations such as anti-money laundering laws and safeguarding requirements
- assisting with investigations (including criminal investigations) carried out by the police and other competent authorities
- complying with court or other competent authority orders

(iv) Vital interests

The University will only rely on vital interests as a lawful basis for processing your personal data where it is necessary to protect someone's life.

(v) Consent

The University will use consent as a lawful basis for some processing. Where we do so we always provide you with the choice as to whether or not to opt in to such processing.

- We will provide references and confirmation of your engagement with your consent
- We may process personal data provided by you for a specific purpose or purposes (for example, disability, catering preferences or lifestyle status for event management)

E. What we use personal and sensitive data for

Leeds Trinity University processes your personal data and special category personal for a number of purposes including:

- Human Resources administration such as recruitment and payment of fees and expenses
- maintaining your record
- the provision of services (e.g. Information Technology services)
- to meet the legal and statutory obligations of the University
- equal opportunities monitoring
- promoting our services and other operational reasons (including displaying examiners'/assessors' and institution details on the University's Intranet and Moodle)
- the prevention and detection of crime and assisting investigations carried out by relevant authorities
- dealing with unsatisfactory performance and breach of University policies
- dealing with complaints

F. Automated decision making

The University does not use your personal data for making any automated decisions about you.

G. Who will we share your data with?

Your data will be shared internally within the University only with staff and departments that require the use of the data in order to administer your appointment and provide University services to you. Staff within HR, the Academic Quality Office and Finance will have access to your data along with relevant members of the programme team, Student Administration and Centre for Apprenticeships, Work Based Learning and Skills for the purpose of contacting you regarding your duties. Your name and institution will be included on your external examiner / independent assessor reports, which University staff and students will have access to. To identify and avoid potential conflicts of interest, your name and institution will also be included on relevant external examiner nomination forms, which are sent to future external candidates as part of the nomination and approval process. We will not provide students or external candidates with your contact details. However, if a student does make direct contact with you, we ask that you contact the Academic Quality Office.

Data including your personal and special category data will be shared externally where the University has a legitimate need to do so in fulfilling the contract with you or has a legal obligation to provide data. The following list provides examples of the most common occasions on which it may be necessary to share your data.

- Higher Education Statistics Agency (HESA) requires the University as part of its regulatory obligations to provide anonymised and aggregated sensitive personal data. Further details of the staff data collection undertaken by HESA can be found at: <https://www.hesa.ac.uk/about/regulation/data-protection/notices>
- HMRC and other government bodies in connection with your appointment at the University.
- Your data may be used in anonymised form to provide statistical information about the University's workforce for use on the University website and other appropriate publications.
- We will provide information to the police and other enforcement agencies in the event of an emergency or where required to assist the prevention or detection of crime.

- Some data is held on a secure, hosted server owned and managed by our HR System provider, Midland HR. Midland HR will not pass on your data to any third party unless it is legally required to do so.

H. Changes to your personal data

It is your responsibility to notify the Academic Quality Office at the University as soon as possible if any of the data held about you is incorrect or needs to be updated.

I. Will your data be sent or stored abroad?

Some of the personal data we process about you may be transferred to, and stored at, a destination outside the European Economic Area (EEA), for example where personal data is processed by one of our software suppliers who is based outside the EEA or who uses data storage facilities outside the EEA.

In these circumstances, your personal data will only be transferred where the transfer is subject to one or more of the appropriate safeguards for international transfers prescribed by applicable law (e.g. standard data protection clauses adopted by the European Commission); a European Commission decision provides that the country or territory to which the transfer is made ensures an adequate level of protection.

J. How long do we keep your data?

The University will retain personal data for no longer than is necessary to fulfil its contractual and regulatory obligations in line with our retention schedule details of which are available [here](#).

K. How you can access personal information the University holds about you and other rights you have

1. The right to be informed

You have the right to be informed about the collection and use of your personal data and this privacy notice is part of the transparency requirements of data protection legislation.

2. Right of access

You have a right to access the personal data that the University holds about you. A request to see the personal data held by the University can be made through a Subject Access Request. Further information about how to request this is available [here](#).

3. The right to rectification

You have the right to have inaccurate personal data held by the University rectified or completed if it is incomplete. This can be done through the Academic Quality Office at the University by contacting ex-ex-admin@leedstrinity.ac.uk.

4. The right to erasure

Once personal data collected by the University is no longer necessary for the purpose for which it was collected and processed, you may have the right to have the data erased. The University manages the retention period of data held through its retention schedule.

5. The rights to restrict processing and to object to processing

In certain circumstances you have the right to restrict the processing of your personal data. This is likely to arise when there is an issue concerning the accuracy or the legitimate grounds for processing of the personal data.

6. The right to object to processing

You have the right to object to:

- processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling);
- direct marketing (including profiling); and
- processing for purposes of scientific/historical research and statistics.

The University will stop processing the personal data unless there are compelling legitimate grounds for the processing, which override your interests, rights and freedoms.

7. Rights to data portability

You have the right to receive the personal data concerning you in a structured, commonly used and machine-readable format and, where the processing is carried out by automated means, request that we transmit those data to another data controller.

Note:

Detailed guidance on all of the rights you have with regard to the personal data that we hold and process about you is available on the ICO website here - <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>.

L. Contact us

If you have any queries about this privacy policy or how we process your personal data you can contact us at: ex-ex-admin@leedstrinity.ac.uk.

M. Questions or concerns

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with our Data Protection Officer. If you would like to report a data security breach (e.g. if you think your personal data has been lost or disclosed inappropriately) or if you would like to complain about how the University has used your personal data, please contact the University's Data Protection Officer at dataprotection@leedstrinity.ac.uk or write to

Data Protection Officer
Leeds Trinity University
Horsforth
Leeds
LS18 5HD

Should you be dissatisfied with our handling of your concerns, you have the right to complain to the Information Commissioner at <https://ico.org.uk/concerns/handling>.

N. Evaluation and Review

This policy will be formally reviewed every year by the Data Protection Officer and the relevant department(s) within the University. In addition, the effectiveness of this Policy will be monitored as necessary on an on-going basis to ensure it is compliant with relevant legislation.

This policy was last updated in May 2022.