

Privacy Notice for Students

Study Group Notice

Version	2.2
Short description	Notice to students reflecting Study Group's commitment to ensure the privacy and security of personal information.
Authority	The Global Executive Team
Policy Owner	The Data Protection Officer
Relevant to	All students of Study Group and subsidiaries.
Date introduced	30 April 2018
Last reviewed	July 2022
Next scheduled review date	July 2024
Related Study Group documents	This policy is an addition to the Study Group policy framework. Any other existing Study Group policies should be read in conjunction with this policy.

NOTICE STATEMENT

Study Group is committed to protecting the privacy and security of your personal information. This privacy notice (“this Notice”) describes how we collect and use personal information about you during and after your relationship with us, in accordance with the Data Protection Act 2018, which implements the General Data Protection Regulation (UK GDPR) and other privacy legislation within the applicable jurisdiction. It applies to all students.

Study Group 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 Notice.

This Notice applies to current and former students. This Notice does not form part of any offer made by Study Group to you. We may update this Notice at any time and shall inform you if we make any amendment that will significantly affect your rights.

It is important that you read this Notice, together with any other policies 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.

DATA PROTECTION PRINCIPLES

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

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- 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 “special categories” of more sensitive personal data which require a higher level of protection.

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

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses;
- Date of birth;
- Gender;

- Next of kin and emergency contact information;
- Parent/Guardian contact Information;
- Visa, Nationality, Police Registration and Identification Documents;
- Bank account details;
- Course Information (duration, location and Study Plans);
- Educational information (including copies of right to study documentation, certificates and other information included as part of the application process);
- Grades and Progression Information;
- Behavioural and Attendance information;
- CCTV footage and other information obtained through electronic means such as swipecard records – see CCTV Policy;
- Information about your use of our information and communications systems;
- Photographs;
- Feepayer Information;
- Cookies and Data Analytics Information from our Web Pages;
- Recordings of online classes/presentations.

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

- Information about your race, ethnicity and religious beliefs
- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.

HOW IS YOUR PERSONAL INFORMATION COLLECTED?

We collect personal information about students through the application process, either directly from students or on occasions from Agents or Sponsors. We may sometimes collect additional information from third parties including former educational institutions.

We will collect additional personal information in the course of your period of study with us.

ON WHAT BASIS WILL WE USE INFORMATION ABOUT YOU

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to enter into the agreement with you to provide the study programme according to Study Group Terms and Conditions, and to perform such an agreement once we have entered into it with you.
- Where we need to comply with a legal obligation.
- Where it is necessary for Study Group’s legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests. Such instances may include the prevention of fraud, error, harassment or child abuse.

We may also use your personal information in the following situations, which are likely to be rare:

- Where we need to protect your interests (or someone else's interests).
- Where it is needed in the public interest or for official purposes.

SITUATIONS IN WHICH WE WILL USE STUDENT PERSONAL INFORMATION

We need all the categories of information in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations. In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. In limited situations such as for the purposes of photographs and videos, we may ask you for consent to process your data. Your refusal will not put you into a disadvantageous situation. The situations in which we may process your personal information are listed below.

- Making a decision about your application or appointment to an educational establishment;
- Determining the terms on which you study with us;
- Checking you are legally entitled to study within an educational establishment;
- Providing you with the necessary study material required;
- Administering the agreement we have entered into with you;
- Business management and planning, including accounting and auditing;
- Conducting performance reviews, managing performance and determining performance requirements;
- Making decisions about course content and curriculum;
- Assessing qualifications for a particular study centre;
- Making arrangements for the termination of Study Group's relationship with you;
- Making arrangements for travel between your home and the educational establishment;
- Education, training and development requirements;
- Dealing with legal disputes involving you, or other students including accidents;
- Managing sickness absence;
- Complying with health and safety obligations;
- To prevent fraud;
- To monitor your use of our information and communication systems to ensure compliance with our IT policies;
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution;
- To conduct data analytics studies to review and better understand student progression rates;
- Equal opportunities monitoring;
- Our social media profiles
- Communications and marketing purposes

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

IF YOU FAIL TO PROVIDE PERSONAL INFORMATION

If you fail to provide certain information when requested, we may not be able to perform the agreement we have entered into with you (such as providing a place at an educational establishment, or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our students).

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.

HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations and in line with our Data Protection policy.
3. Where it is needed in the public interest, such as for equal opportunities monitoring and in line with our data protection policy.
4. Where it is needed to assess your studying capacity on health grounds and to act with a duty of care, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public. We may also process such information about students or former students in the course of legitimate business activities with the appropriate safeguards.

OUR OBLIGATIONS AS AN EDUCATION PROVIDER

We will use your particularly sensitive personal information in the following ways:

- We will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with policies, regulations and laws.

- We will use information about your physical or mental health, or disability status, to ensure your health and safety in the educational establishment and to assess your fitness to study, to provide appropriate adjustments and to monitor and manage sickness absence.
- Subject to your explicit consent, we will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

DO WE NEED YOUR CONSENT?

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your agreement with us that you agree to any request for consent from us.

INFORMATION ABOUT CRIMINAL CONVICTIONS

We may only use information relating to criminal convictions where the law allows us to do so. This data is generally processed for the purposes of safeguarding of children and of individuals at risk based on substantial public interest.

Data is only accessible to Study Group staff on a need to know basis and therefore cannot be accessed by all the staff who generally have access to student data. Absent specific circumstances in individual cases, the data shall be deleted when the student leaves the programme.

Less commonly, we may use information relating to criminal convictions in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public. We may also process such information about students or former students in the course of legitimate business activities with the appropriate safeguards.

We will only collect information about criminal convictions if it is appropriate given the nature of your place of study and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the Application process or we may be notified of such information directly by you in the course of you studying with us.

We will use information about criminal convictions and offences to provide the educational establishment you have applied to with the relevant information requested.

AUTOMATED DECISION-MAKING

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

1. Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
2. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights, provided we have notified you of the decision and given you 21 days to request a reconsideration.

If we make an automated decision on the basis of any special categories of data (sensitive personal data), this will have to be based on explicit consent.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

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 group. Similarly, your university results in pseudonymised or anonymised form, including basic demographics, may be processed by Study Group in order to evaluate the impact of its courses. 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 country in which you reside. If we do share your data, you can expect a similar degree of protection in respect of your personal information based on a lawful arrangement we have in place to transfer your data.

WHY MIGHT YOU SHARE MY PERSONAL INFORMATION WITH THIRD PARTIES?

We will share your personal information with third parties where required by law, where it is necessary to administer the working 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 our group. The following third-party service providers process personal information about you for the following purposes:

United Kingdom Visa and Immigration (UKVI) – Legal requirement to share information on attendance, immigration status and police registration
National Health Service – Legal requirements to share information
Child Protection Services - Legal requirements to share information
College Guardians (UK) and Godsil Education Dublin – Under 18s Guardian services providers

Homestay Families – Accommodation providers
Landlords – Accommodation providers

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 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.

WHEN MIGHT YOU SHARE MY PERSONAL INFORMATION WITH OTHER ENTITIES IN THE GROUP?

We will share your personal information with other entities in our group as part of our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data.

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

In other circumstances we may share your personal information with Agents, Parents/Guardians, Sponsors and educational establishments you have applied for.

SHARING OF DATA WITH SPONSORS, AGENTS AND PARENTS/GUARDIANS

Data regarding your enrolment, attendance and marks may be shared with your parents or another holder of parental responsibility and/or your designated sponsors, in order to perform the contract with you and to comply with their legitimate interest to be informed about your progress. Information may also be shared via your designated agent. The data mentioned is not an exhaustive list and there may be other types of data that are shared for the purpose of performing the contract with you or for a legitimate interest.

TRANSFERRING INFORMATION OUTSIDE YOUR COUNTRY

As well as within the UK, we may transfer the personal information we collect about you to the following countries in order to enter into and perform our contract with you or for our legitimate interest of corporate group administrative purposes:

- | | | | |
|-----------------------|-------------|---------------|------------|
| • Australia | • Brazil | • Dubai | • Taiwan |
| • New Zealand | • China | • Hong Kong | • Thailand |
| • USA | • Malaysia | • India | • Vietnam |
| • Canada | • Singapore | • Netherlands | |
| • Republic of Ireland | • Indonesia | • South Korea | |

There is an adequacy decision in respect of the following countries; Andorra, Argentina, Canada, Faroe Islands, Guernsey, Israel, Isle of Man, Jersey, New Zealand, Switzerland and Uruguay as providing adequate protection. This means that these countries to which we transfer your data are deemed to provide an adequate level of protection for your personal information.

To ensure that your personal information does receive an adequate level of protection wherever it is transferred within Study Group, we have put in place appropriate measures to ensure that your personal information is treated by those third parties in a way that is consistent with data protection regulations in the applicable jurisdiction. If you require further information about these protective measures, you can request it from the DPO.

DATA SECURITY

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

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. Details of these measures may be obtained from the DPO or by reference to the Data Protection Policy.

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 is necessary either to fulfil the purposes we collected it for or for the purposes of satisfying any legal, accounting, or reporting requirements. We will retain data after completion of your course where we have obtained your consent, where required by law e.g. for tax purposes, or where required to protect our legitimate interests. 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 any applicable legal requirements. After this period we will use our best endeavours to securely destroy your personal information.

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 study 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 DPO 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, a procedure that is comparably simple to the procedure for giving consent will be followed. You may in either case withdraw consent by contacting the DPO. 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 (DPO)

We have appointed an external DPO to oversee compliance with this privacy notice. If you have any questions about this Notice or how we handle your personal information, please contact the DPO, Aphaia Limited, at dpo@aphaia.co.uk. You have the right to make a complaint at any time to your relevant Information Commissioner for data protection issues. For any general data protection related queries, you can contact privacy@studygroup.com

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.

If you have any questions about this privacy notice, please contact the DPO at dpo@aphaia.co.uk.