

**University of Cambridge**

**Registry's Office**

**Guidance on issuing 'local' privacy notices under the General Data Protection Regulation to users of specific University services and facilities for staff, students and members of the public**

This document is designed to guide 'owners' of 'local' privacy notices about the updates they need to make to these in order to comply with the General Data Protection Regulation (GDPR), which will apply from 25 May 2018. For background information on the GDPR, see <https://www.information-compliance.admin.cam.ac.uk/data-protection/general-data-protection-regulation>.

1. A key aspect of data protection law under the Data Protection Act 1998 (DPA 1998) has been the requirement to inform individuals how their personal data is used by the University. These statements are usually known as 'privacy notices' (though sometimes are termed 'data protection statements', 'data collection statements', 'privacy statements', 'confidentiality policies', 'privacy policies', and so on). Under the DPA 1998, we have been obliged to tell people: who we are; how we use their personal data; and anything else that we consider necessary in order to render our use of their personal data 'fair'.
2. We deliver these privacy notices in two ways, which accords with a best practice approach of delivering the right level of information to the right people at the right time:
  - (a) Through 'overarching' notices, aimed at specific types of individual, that set out personal data uses in general terms. These are hosted on or are available from the University's main Data Protection webpages maintained by the Registry's Office as follows:

<https://www.information-compliance.admin.cam.ac.uk/data-protection/applicant-data> (for student applicants)  
<https://www.information-compliance.admin.cam.ac.uk/data-protection/student-data> (for students)  
<https://www.information-compliance.admin.cam.ac.uk/data-protection/alumni-data> (for alumni and supporters)  
<https://www.information-compliance.admin.cam.ac.uk/data-protection/staff-data> (for job applicants and staff)

The relevant types of individual are pointed at these notices at appropriate times (e.g. application or graduation).
  - (b) Through supplementary 'local' notices supplied to users of particular University services and facilities, whether those users are staff, students or members of the public (or a mix of these). These are issued and maintained

by each service or facility in a variety of ways. They may, for example, be published on a website, or included at the end of a paper or online form, or included within procedural or policy documents supplied to individuals informing them how a particular process will operate.

3. Under the GDPR, which will apply from 25 May 2018, the requirement to inform individuals how their personal data is used has been significantly extended, meaning that we now have to cover many more topics while still doing so in an easily accessible and concise way. These new topics include: data retention periods; data sharing arrangements; the existence of individuals' rights under the GDPR; ways in which to complain to the national regulator (the Information Commissioner's Office); the existence of any automated decision-making; and many more. The full list is summarised at <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-be-informed/>.
4. As a result, the existing 'overarching' notices mentioned at paragraph 2(a) above have been updated to ensure that all of the necessary topics are covered.
5. Similarly, all existing 'local' notices mentioned at paragraph 2(b) will need to be updated so as to cover all of the necessary topics. However, the information that needs to be supplied on many of the topics is identical for all University services and facilities, and as a result a new page has been created on the University's main Data Protection webpages maintained by the Registry's Office as follows:

<https://www.information-compliance.admin.cam.ac.uk/data-protection/general-data>

This new webpage covers all of the topics that do not vary between each service and facility.

6. The topics that will need to be covered in the 'local' notices, because they are necessarily different in each particular case, are as follows:
  - (a) **Always:** The purpose of the personal data use.
 

Example: 'We use your information to allow us to support you in accordance with your requirements, and to keep in touch with you about it.'
  - (b) **Always:** The legal basis for the personal data use. For almost all University services and facilities, the basis will be *either* that the individual has consented (in particular where medical or other sensitive information is involved in delivering a service) *or* that the individual is entering into a contractual relationship with you for the delivery of that service or facility.

Example based on consent: 'We use your personal information in accordance with the consents you have given to us.'

Example based on contract: 'We use your personal information in order to deliver our contractual obligations to you as a user of our service.'

- (c) **If applicable:** (i) If you share any personal data with any organisations external to the University, the recipients of the data. (ii) If you share any personal data with any organisations external to the University that are based outside of the EU, those recipient organisations and details of the safeguards used to ensure the personal data remains secure.

Example: 'We will share your information with our placement providers in order to deliver an effective service to you. We will also share details about your use of our services in order to carry out research in collaboration with our partner university in Australia; these transfers are carried out with appropriate safeguards such as contractual terms and technical security measures to ensure the safety and security of your information.'

- (d) **If applicable:** Whether there is a statutory or contractual need to supply the personal data.

Example: 'We need you to supply your contact details so that we can contact you in the event of an emergency that affects your child's use of our facilities.'

- (e) **If applicable:** Whether any automated decisions are taken based on the personal data that might affect the individual.

Example: 'We use credit reference agencies to ensure that you are a suitable user of our service'.

- (f) **If applicable:** If you are using personal data which has not been collected directly from the individual, the categories and sources of those data.

Example: 'We will supplement your records with information about your professional achievements gathered from respectable websites.'

- (g) **Always:** A link to <https://www.information-compliance.admin.cam.ac.uk/data-protection/general-data>, so as to cover the other topics. This page includes a link to the University's Master Records Retention Schedule which sets out how long the University retains different types of information (<https://www.information-compliance.admin.cam.ac.uk/records-management>). If the sorts of records that you hold about individuals are not included in this Schedule, you will also need to indicate a retention period.

7. Most of the topics listed in paragraph 6(a) to 6(f) are already covered in 'local' privacy notices and, where they are not, it should be straightforward to include them. If any topic is irrelevant you don't need to mention it. It is considered unlikely that the topics in 6(d) or 6(e) or 6(f) will be relevant to many services or facilities.

8. Two annotated templates for 'local' privacy notices follow for two fictional University services, one that uses sensitive information and one that does not. Please note that these are only suggestions and as long as all the topics listed in paragraph 6 are included insofar as they are relevant, the precise form of words can be flexible and can be adapted to the usual style of communication used by the particular service/facility. The language must, however, be readily understandable.

### Template Privacy Notice 1: Consent-based service using some sensitive medical information

#### How the University Dental Finder Service uses your personal information

The University Dental Finder Service uses your personal information to enable you to access local dentists while you are studying in Cambridge.

Commented [JK1]: 6(a): Purpose

With your consent, we collect certain medical information from you in order that these dentists can support you effectively.

Commented [JK2]: 6(b): Legal basis

We share your personal information with local dentists and, in the event of dental emergencies, with your GP. We also share it with the University Dental Finder Service run by Harvard University, so that we can compare the effectiveness of our services; the transfers of your personal information to Harvard are carried out with appropriate safeguards such as contractual terms and technical security measures to ensure the safety and security of your information.

Commented [JK3]: 6(c): Sharing

We need you to supply next of kin contact details in case of an emergency.

Commented [JK4]: 6(d): Contractual need to supply certain information

We run your basic dental records through an automated system to identify if you would benefit from cosmetic treatment, and we pass your details to local orthodontists for them to generate quotes for us in case you are interested in this treatment.

Commented [JK5]: 6(e): Automated decision-making

We supplement your records with information about your dental health passed back to us by any dentists that you use.

Commented [JK6]: 6(f): Information collected from other sources

We retain your medical and dental records for as long as you use the service and delete them after 5 years if you have not been in touch. For more information about how we handle your personal information, and your rights under data protection legislation, please see <https://www.information-compliance.admin.cam.ac.uk/data-protection/general-data>.

Commented [JK7]: 6(g): Link to generic page, with supplementary statement about retention

Please complete and return the following declaration:

I consent to the use of my personal information as outlined above. I understand that I can withdraw my consent at any time and stop using the University Dental Finder Service.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Commented [JK8]: Consent mechanism

**Template Privacy Notice 2: Contract-based service not using any sensitive medical information**

*How the University Hairdressing Service uses your personal information*

The University Hairdressing Service uses your personal information to keep booking records and to contact you to let you know when your next haircut is due.

We use your personal information in order to deliver our contractual obligations to you as a user of our service. Our standard terms of service are available from our website <https://www.hairdressing.admin.cam.ac.uk/>.

We share your personal information with a local salon, Tasteful Beauty Cambridge, if you ask for other services (e.g. manicures) that we do not offer ourselves.

For more information about how we handle your personal information, and your rights under data protection legislation, please see <https://www.information-compliance.admin.cam.ac.uk/data-protection/general-data>.

Commented [JK9]: 6(a): Purpose

Commented [JK10]: 6(b): Legal basis

Commented [JK11]: 6(c): Sharing

Commented [JK12]: 6(g): Link to generic page. 6(d), 6(e) and 6(f) do not apply so do not need to be mentioned.

9. If you are relying on consent as the legal basis for personal data use, this must be freely given, specific, informed, unambiguous, revocable and demonstrable. The privacy notice covers most of these, but in order to demonstrate consent you should keep consent forms or other records of consent for as long as you retain that individual's information.
10. **'Owners' of 'local' privacy notices are requested to update their notices by 31 March 2018 (and, where appropriate, to implement refreshed consent mechanisms alongside them). Please let the Information Compliance Officer know when your notice(s) have been updated. Advice may be sought on a case-by-case basis from the Information Compliance Officer (details below).**

Dr James Knapton  
Information Compliance Officer  
Registrary's Office  
22 November 2017

[James.Knapton@admin.cam.ac.uk](mailto:James.Knapton@admin.cam.ac.uk)  
(01223 3)32331