

# Privacy Notice Procedure

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## 1 Introduction

GDPR requires all organisations to be transparent about the personal data they process, and to inform individuals of certain things with respect to that data. This information should be contained in a 'Privacy Notice' which should be issued to all individuals whose personal data is processed by the University. The format of this information needs to be as accessible to the data subject (the owner of the personal information being processed) as possible.

This procedure explains the University's Privacy Notices and when and how to use them.

## 2 Aim

The aim of this procedure is to standardise the University-wide use of privacy notices and reduce the load on individual members of staff with respect to providing privacy information mandated by law in the day-to-day processing of personal data as necessary.

## 3 Responsibilities

This University-wide policy applies to all personal information held by the University, regardless of format, and is applicable to all staff acting on behalf of the University.

## 5 Communication

This procedure will be published on the University's internal website. Line managers are responsible for bringing this policy to the attention of members of staff in their area, including new staff.

## 6 Revision

This policy will be revised regularly, and formally approved by the Information Management and Security Steering Committee on a regular basis.

Approved: 21 May 2018

Next revision due: February 2019

## 7 Contact

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## Procedure for Privacy Notice use

### 1 Central University Privacy Information

GDPR is prescriptive about the information that needs to be contained in a Privacy Notice and this is provided in Appendix 1 for information.

Two types of information statement have been written to cover the personal data processing that the University carries out. 'Privacy', at <https://www.nottingham.ac.uk/utilities/privacy/privacy.aspx>, covers all the fields that need to appear in any privacy notice the University issues, items such as the contact details of the Data Protection Officer and the rights that a data subject has with respect to the personal data that the University processes.

It is also necessary to inform data subjects of the purpose for which their data is being processed, and the legal basis, defined by the GDPR, for processing that data. That information will vary depending on an individual's relationship with the University, and so more specific Privacy Notices around this have been prepared under specific headings at the Privacy link.

In order to provide a data subject with their full privacy information, they need to be provided with the overview information and whichever of the more specific statements best defines their relationship with the University. This information is available at <https://www.nottingham.ac.uk/utilities/privacy/privacy.aspx>, and the appropriate links can be provided if this is an easy format for the data subject to receive.

Privacy Information and Notices can also be downloaded at the above link so that the files can be provided in electronic or paper form to data subjects where this is most appropriate.

### 2 When you need to issue a Privacy Notice

Where the personal data is being collected directly from the data subject, a privacy notice needs to be issued at the point that that data is collected.

Where personal data has been received from a third party, eg. UCAS, a privacy notice needs to be issued to the data subject within 30 days or prior to the commencement of any processing, whichever is the sooner.

Privacy information must be easily accessible to the data subject, but this can be a link to the relevant information and it is sufficient that the data subject has been given the opportunity to read it.



### 3 How to use Privacy Notices

Where you will be making the University's initial contact with an individual and you will be making a record of/processing their personal data, you will need to provide that individual with the necessary links to the university's privacy information, as outlined above. If an email link is not a convenient way for the data subject to receive their privacy information, you should download the pdf version from <https://www.nottingham.ac.uk/utilities/privacy/privacy.aspx>, and supply it as an attachment or in paper form.

However, if you are processing the personal data of a registered student or a member of staff, they will have been issued with the relevant Privacy Notice when they last registered or commenced their employment, in which case there is no requirement for you to do it again. If you are unsure whether you are the individual making the initial contact with the data subject, it is good practice to supply links to the University's privacy information and invite the data subject to read them if they wish to. Please see appropriate wording below.

### 4 Introductory wording for use with Privacy Notices

In order to introduce the privacy links at the end of an email, the following wording can be used:

'The University of Nottingham processes your personal data in order to provide its service to you. Please visit <https://www.nottingham.ac.uk/utilities/privacy/privacy.aspx> for our Privacy Notices, which explain how we process your personal data and the rights you have with respect to your personal information. Specific information on the purposes for which we process your data and the legal bases for this is available at **[please use the link with the appropriate specific heading according to the list of privacy notices on the website]**'

### 5 When further processing information is necessary

The following outline paragraph can be used to give data subjects detail on the purpose and legal basis for processing personal data where this is not provided by any of the University's central privacy notices. This additional paragraph will need to be provided in conjunction with links to the processing information best allied to the data subject's relationship with the University and the generic privacy information from the University's website. If you are in any doubt at all with using this wording, please contact the data protection team on [data-protection@nottingham.ac.uk](mailto:data-protection@nottingham.ac.uk) for support.

'The University processes your personal data in order to **[insert specific purpose here]**. The legal basis for this processing is **[insert legal basis]**. Details such as how to contact the University's Data Protection Officer and your rights as a data subject can be found at <https://www.nottingham.ac.uk/utilities/privacy/privacy.aspx>. Further detail on how your information is processed and how to find out when it will be disposed of can be found at **[please use the link with the appropriate specific heading according to the list of privacy notices on the website]**'

### 6 Changes to Privacy Notices

If information in a Privacy Notice needs to be changed, especially where that change is related to the processing being carried out or it becomes necessary to share the personal data outside of the EEA, it is necessary to inform the data subjects to whom the Privacy Notice is relevant of the change in processing and to notify them of any change to the Privacy Notice.



Where the change has been made to a central University Privacy Notice, the notification process will be handled by the Information Compliance Team.

If you are using a Privacy Notice that needs changing, or consider that one of the University's Privacy Notices needs changing, please contact the Information Compliance Team on [data-protection@nottingham.ac.uk](mailto:data-protection@nottingham.ac.uk) for guidance.

#### Document History

Date and event	Change Detail
21 May 2018	Procedure approved by IMSSC

#### RELATED POLICIES AND GUIDANCE

Privacy Notices – a guide

Identifying a legal basis for processing – a guide

GDPR update - personal data

## Appendix 1 Information that must be contained in a Privacy Notice

What information must be supplied?	Data from subject	Data from elsewhere
Identity and contact details of the controller and where applicable, the controller's representative) and the Data Protection Officer	Yes	Yes
Purpose of the processing and the legal basis for the processing	Yes	Yes
The legitimate interests of the controller or third party, where applicable	Yes	Yes
Categories of personal data	No	Yes
Any recipient or categories of recipients of the personal data	Yes	Yes
Details of transfers to third country and safeguards	Yes	Yes
Retention period or criteria used to determine the retention period	Yes	Yes
The existence of each of data subject's rights	Yes	Yes
The right to withdraw consent at any time, where relevant	Yes	Yes
The right to lodge a complaint with a supervisory authority	Yes	Yes
The source the personal data originates from and whether it came from publicly accessible sources	No	Yes
Whether the provision of personal data is part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the personal data	Yes	No
The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences.	Yes	Yes