

# THE GLASGOW SCHOOL OF ART

## PLANNING and MANAGEMENT GROUP

1. On 03 March 2020, the Data Protection Forum authorised the Data Protection Officer to submit the following draft Privacy Notice to the Planning and Management Group for formal approval:

Privacy Notice for Research and Enterprise

2. The Planning and Management Group is invited to approve the attached draft Privacy Notice.

Tom McDonnell

Data Protection Officer  
The Glasgow School of Art

05 March 2020.

## PRIVACY NOTICE FOR RESEARCH AND ENTERPRISE

### General Data Protection Regulation (GDPR) 2016 and Data Protection Act 2018 PRIVACY NOTICE DETAILS:

Date of approval	17 March 2020
Approving body	Planning and Management Group
Supersedes	Previous draft Privacy Notices
Date of EIA	n/a
Date of next review	<i>See departmental schedule</i>
Authors	GSA Research and Enterprise; Innovation School; Data Protection Officer
Responsible Executive Group area	Research and Enterprise
Related policies and documents	Data Protection Policy
Benchmarking	University of Edinburgh  UK Research and Innovation guidance also consulted

### Purpose

This Privacy Notice is applicable to prospective, current and former:

- research subjects and participants in research projects undertaken by the Glasgow School of Art (GSA);
- stakeholders with some involvement in research projects undertaken by the GSA, other than as a research participant, collaborator or contractor;
- external research collaborators and contractors undertaking joint research with GSA;
- individuals who wish to access copies of GSA research outputs, via the GSA's research repository, RADAR.

This Privacy Notice outlines what personal data the GSA holds about you, how it is processed and who we share it with. It also explains your rights as a data subject.

### **Preliminary information**

If you have any questions relating to our use of your personal data, these should be referred in the first instance to the Research and Enterprise department by emailing [research@gsa.ac.uk](mailto:research@gsa.ac.uk).

The GSA's Data Protection Officer is Tom McDonnell, and you can email him at [dataprotection@gsa.ac.uk](mailto:dataprotection@gsa.ac.uk).

You have the right to lodge a formal complaint against GSA regarding data protection issues with the Information Commissioner's Office (<https://ico.org.uk/concerns/>).

### **The Data Protection Principles**

The GSA complies with current data protection legislation. This says that the personal information the GSA holds about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that the GSA has clearly explained to you, and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes the GSA has told you about, and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes the GSA has told you about.
6. Kept securely.

### **What is Personal Data?**

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.

### **1. PROSPECTIVE, CURRENT AND FORMER RESEARCH SUBJECTS OR PARTICIPANTS IN RESEARCH PROJECTS**

By 'Research Subject' or 'Research Participant', we mean a person who voluntarily decides to participate in a research study, and by doing so provides data or information (potentially about themselves or through their actions) that helps a researcher to investigate the research topic and questions that the study is concerned with. For example, the Research Subject or Participant could agree to take part in a workshop, to complete a survey or questionnaire, or to be observed undertaking specific tasks under controlled conditions.

### **What personal data do we hold about you?**

GSA needs to collect, hold and use your personal data in order to administer your voluntary participation or prospective participation in a research project; and to facilitate the rigorous management and analysis of any resulting research data.

If you respond to an invitation to take part in a research project, the personal data collected for the purpose of administering your potential participation may include:

- Name, email address and phone number;
- Any information you choose to share with us that is relevant to the research activity and your potential participation in it, including sensitive personal information (referred to as special category data), such as information about your health.

If you do participate in a research project, the personal data collected for the purpose of administering your participation, and the subsequent management and analysis or research data, may include:

- Full name; date of birth; postal and email addresses; phone numbers;
- Gender;
- Details of your profession or employment;
- Sensitive personal information that is relevant to the research and your participation in it (e.g. about your health, work or life experiences), which you have voluntarily provided.

In accordance with GSA's Research and Knowledge Exchange Ethics Policy and Code of Practice, information about what will happen to your data, and the outcomes of the project, will be provided in the participant information sheet and research consent form that will be shared with you before you confirm that you will take part.

### **Legal Basis for holding your personal data**

For the personal data the GSA holds and processes about you, we have to provide you (by law) with the legal basis under which it is being processed. This can be based on Consent, Performance of Contract, Legal Obligation, Public Interest, Vital Interest or Legitimate Interest. We rely on the following legal bases for the purposes described:

#### **I. Consent**

Where we require your consent to process your personal data, you will be asked to complete and return a Data Subject Consent form. Where this involves special category data, the consent we seek will be explicit about this.

If you give your consent for us to process your personal data, you can withdraw this consent in whole or part at any time. If you wish to withdraw your consent you will be asked to complete and return a Data Subject Consent Withdrawal form. We will also explain the consequences of withdrawing your consent in any particular case. Please note withdrawing your consent does not affect the lawfulness of the processing up to the point of withdrawal.

## **II. Public Interest**

Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller (GSA).

### **Sharing your personal data internally**

The relevant researcher or research team at GSA will not share your personal data with any other department in GSA unless it is necessary for conducting or administering the research. For instance, if you claim expenses for participating in the project, your details related to payment will be shared with the GSA Finance department.

### **Sharing of personal data with other organisations**

The GSA may share your personal data with another organisation which is collaborating on the research project with us. We will explain the identity and role of any collaborators to you in the information we provide prior to seeking your consent to participate, and will only share your data with your explicit consent.

The GSA may also share your personal data with a third-party supplier of research data processing or analysis services, such a transcriber (who turns an audio file into a text file). Your data will be shared in an anonymised form and in a confidential manner, and the data processing organisation will destroy your data once the service has been delivered to GSA.

### **Sources of data**

The GSA receives personal data in several ways, but with regard to a research project it is primarily obtained directly from you, the data subject. Alternatively, we may receive your contact details, with your consent, from an organisation or person that you are affiliated with or from one of our collaborators on the project.

## **2. STAKEHOLDERS IN RESEARCH PROJECTS**

By 'Stakeholder', we mean an individual that has some involvement with the research project, other than as a research participant/subject, or a collaborating external researcher who has some direct responsibility for conducting the research. Examples of stakeholders include: commissioners or sponsors of research; members of advisory or steering groups; people who help to facilitate the research (e.g. by identifying prospective participants or providing access to venues); and individuals who have registered their interest in engaging with the outcomes of the research.

### **What personal data do we hold about you?**

In order for GSA to communicate with you about our research (e.g. project updates, research events, exhibitions and meetings), we need to collect, hold and use your personal data.

Personal data collected for this purpose may include:

- Name, Work email address and work phone number;
- Job title, Employer, Working location;
- Areas of interest;
- Record of previous communications with you.

### **Legal Basis for holding your personal data**

For the personal data the GSA holds and processes about you, we have to provide you (by Law) with the legal basis under which it is being processed. This can be based on Consent, Performance of Contract, Legal Obligation, Public Interest, Vital Interest or Legitimate Interest. We rely on the following legal bases for the purposes described:

#### **I. Consent**

Where we require your consent to process your personal data, you will be asked to complete and return a Data Subject Consent form. Where this involves special category data, the consent we seek will be explicit about this.

If you give your consent for us to process your personal data, you can withdraw this consent in whole or part at any time. If you wish to withdraw your consent you will be asked to complete and return a Data Subject Consent Withdrawal form. We will also explain the consequences of withdrawing your consent in any particular case. Please note withdrawing your consent does not affect the lawfulness of the processing up to the point of withdrawal.

#### **II. Public Interest**

Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller (GSA).

### **Sharing your personal data internally**

The relevant researcher or research team at GSA will not share your personal data with any other department in GSA unless it is necessary for conducting or administering relevant research activities. For instance, if you claim expenses for attending a research event, your details related to payment will be shared with the GSA Finance department.

### **Sharing of personal data with other organisations**

The GSA will not share your personal data with any other organisation.

### **Sources of data**

The GSA receives personal data in several ways but with regard to a research project it is primarily obtained directly from you, the data subject. Alternatively, we may receive your contact details, with your consent, from an organisation or person that you are affiliated with or from one of our collaborators on the project.

### **3. RESEARCH COLLABORATORS AND CONTRACTORS**

By 'Research collaborators and contractors', we mean individuals who are planning to undertake, currently undertaking, or have previously undertaken research jointly with GSA researchers, but who are not (or were not at the time) employed by GSA. These include academic researchers employed by other Higher Education Providers, and research consultants contracted to undertake research on the project.

#### **What personal data do we hold about you?**

We need to collect, hold and use your personal data in order for the GSA to undertake joint research with you, including developing collaborative research projects, preparing and submitting costed research proposals, entering into collaboration agreements, administering and undertaking research tasks, distributing any research funding, fulfilling reporting obligations, and disseminating the outcomes of research.

Personal data collected for these purposes may include:

- Name, Job title and Employer;
- Work email address, Work phone number and Work postal address;
- Curriculum Vitae, qualifications, skills, experience and interests;
- Research costings, which may include an individual/s daily rate or salary information;
  - Bank details

#### **Legal Basis for holding your personal data**

For the personal data the GSA holds and processes about you, we have to provide you (by Law) with the legal basis under which it is being processed. This can be based on Consent, Performance of Contract, Legal Obligation, Vital Interest, Public Interest or Legitimate Interest. We rely on the following legal bases for the purposes described:

##### **I. Public Interest**

In some cases, processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller (GSA).

##### **II. Performance of Contract**

If you currently collaborate with the GSA on research proposals and projects, or if you have done in the past, your personal data is processed on the basis of a contract with GSA, for example a research collaboration agreement or contracts relating to the joint research activities, or an agreement to jointly submit a research funding proposal. If you do not provide the GSA with the information needed in order to submit a proposal for research funding or enter into a research collaboration agreement, we may not be able to undertake the research with you.

### **Sharing of your personal data internally**

Your personal data will be shared internally with the researcher or research team undertaking the project, in order to facilitate the joint research activities. Your personal data will be shared with the GSA's Research and Enterprise Department, and the GSA's Finance department, to facilitate the administration of the research, including contractual arrangements and financial transfers between parties involved in research, knowledge exchange or consultancy activities.

### **Sharing of personal data with other organisations**

The GSA will only share your personal information with third parties for the purposes of developing, undertaking and administering joint research with you, including preparing and submitting research funding proposals, fulfilling reporting obligations to sponsors and funders and sharing the outcomes of research. Relevant personal data will be shared externally with:

- academic researchers and relevant departments in other organisations, including Higher Education Providers, which are also collaborating on the relevant research activities
- funders, such as UK Research and Innovation (UKRI), including via electronic grant submission and management platforms, such as the Joint Electronic Submissions (Je-S) system of the UK Research Councils

The GSA strives to ensure that all personal data remain current and accurate. If you become aware of any incorrect information held by us, you should request that this is rectified by contacting Research and Enterprise: [research@gsa.ac.uk](mailto:research@gsa.ac.uk).

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. For information on how third-party service providers hold and use your personal data, please refer to their own privacy notices.

### **Sources of data**

The GSA receives personal data in several ways, but it is primarily obtained directly from you, the data subject. Alternatively, we may receive your contact details, with your consent, from another organisation or person that you are affiliated with or from one of our collaborators on the project.

## **4. INDIVIDUALS WHO WISH TO ACCESS COPIES OF GSA RESEARCH OUTPUTS**

### **What personal data do we hold about you?**

In order for the GSA to be able to put you in touch with a GSA researcher about research outputs that you wish to access via the GSA's RADAR online research repository, we need to collect, hold and use your personal data.

If you use the GSA's RADAR repository (<http://radar.gsa.ac.uk/>) to request access to "secured" files by clicking the "Request a copy" button and completing your details on screen, your personal data is processed in order for Research and Enterprise to facilitate your request with the depositor of the files.

Personal data collected for this purpose may include:

- Your email address.

### **Legal Basis for holding your personal data**

For the personal data the GSA holds and processes about you, we have to provide you (by Law) with the legal basis under which it is being processed. This can be based on Consent, Performance of Contract, Legal Obligation, Vital Interest, Public Interest or Legitimate Interest. We rely on the following legal bases for the purposes described:

#### **I. Performance of Contract**

If you use the GSA's RADAR repository (<http://radar.gsa.ac.uk/>) to request access to "secured" files by clicking the "Request a copy" button and completing your details on screen, your personal data is processed in order for Research and Enterprise to facilitate your request with the depositor of the files. If you do not provide the GSA with information that is necessary for the GSA to assist with your request, we may not be able to enter into a contract with you and your request will not be processed.

### **Sharing of your personal data internally**

Your personal data will be shared internally with:

- any GSA researcher whose RADAR repository files you request access to via the "Request a copy" button. Your details will be shared with the researcher in order for them to contact you if relevant.

### **Sharing of personal data with other organisations**

The GSA will only share your personal information with third parties for the purposes of facilitating your request with the depositor/author of the files. Relevant personal data will be shared externally with:

- EPrints Services, the provider and host of the GSA's research repository RADAR.

The GSA strives to ensure that all personal data remain current and accurate. If you become aware of any incorrect information held by us, you should request that this is rectified by contacting Research and Enterprise: [research@gsa.ac.uk](mailto:research@gsa.ac.uk).

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.

### **Sources of data**

The GSA receives personal data in several ways, but it is primarily obtained directly from you, the data subject. For information on how third party service providers hold and use your personal data, please refer to their own privacy notices.

## **5. GENERAL**

### **What are you responsible for?**

Once you have provided the GSA with any personal data, you are asked to check that the data the GSA holds about you is current and accurate. It is your responsibility to ensure you inform us of subsequent changes, such as a change of name or address. You can do this by contacting the GSA either by phone, email or in person.

### **Transfers outside the EEA**

In some rare instances, such as applying to a research funder outside of the European Economic Area, the GSA may transfer your personal data to third parties located in other countries, including some outside of the EEA. All instances of overseas transfers of personal data are subject to appropriate technical safeguards and contractual provisions incorporating appropriate assurances to ensure the security of the data and full compliance with legislative and regulatory requirements.

### **Retention of your personal data**

The GSA will retain your personal data only as long as necessary for the purposes outlined in this Notice and in accordance with our Records Retention Schedule. Please note, however, that even after termination of your relationship with the GSA we may still need to retain your personal data to satisfy obligations to keep certain records for particular periods as applicable by law.

### **Profiling**

The GSA does not use profiling or automation to make any decisions relating to matters concerning Research and Enterprise.

### **Data Security**

The GSA has 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, the GSA limits 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.

The GSA has 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.

## Your rights in connection with personal information

You have certain rights as an individual under data protection law. These are set out below. In relation to most rights, we will ask you for personal data to confirm your identity and, where applicable, to help us search your personal data. Except in rare cases we will respond to you within one month after we have received any request (including any identification documents requested). You have the 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, please contact [dataprotection@gsa.ac.uk](mailto:dataprotection@gsa.ac.uk). Once the GSA has received notification that you have withdrawn your consent, it will no longer process your information for the purpose or purposes you originally agreed to, unless it has another legitimate basis for doing so in law.
- Restrict or rectify your personal data. You can seek to restrict our processing of your personal data or ask us to rectify any personal data we hold about you.
- Object to processing of your personal data. You can object to us processing your personal data where we are relying on legitimate interest and we will cease processing for the purpose you object to. An exception to this would be where we have compelling legitimate grounds for processing which override your interests, rights and freedoms or where it is necessary for the establishment, exercise or defence of legal claims. You can also object to our processing your personal data for direct marketing, after which we will stop immediately.
- Make a complaint. You have the right to lodge a complaint with the Information Commissioners Office (ICO) if you think that we have infringed your rights. You can find more information about reporting a matter to the ICO at the following link: <https://ico.org.uk/>.
- Access personal data held by us about you.
- Request a copy of your personal data. In certain circumstances you have the right to ask us to provide you with your personal data in a structured, commonly used and machine-readable format to allow you (or us on your behalf) to transmit this information to another party. More information can be found at <https://ico.org.uk>
- Request your personal data is erased. In certain circumstances you have the right to ask us to erase the personal data we hold about you. Such circumstances include (a) where we no longer need your personal data for the purposes set out above; (b) if you withdraw your consent to our processing; (c) if you object to our processing based on our legitimate interest and we have no overriding legitimate grounds to

continue processing your personal data; (d) if we process the data unlawfully; or (e) where the personal data has to be erased to comply with legal obligation to which we are subject. We will consider any such request in line with GDPR. Please note this is not an absolute right and there may be circumstances where we choose not to delete all of the personal data we hold about you. More information about your right of erasure can be found at <https://ico.org.uk>.

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 GSA transfers a copy of your personal information to another party, please contact the Data Protection Officer by writing to [dataprotection@gsa.ac.uk](mailto:dataprotection@gsa.ac.uk).

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, the GSA may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, the GSA may refuse to comply with the request in such circumstances.

The GSA 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.

#### **Contact details**

GSA has appointed a Data Protection Officer (DPO), Tom McDonnell, to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how GSA handles your personal information, please contact the DPO at [dataprotection@gsa.ac.uk](mailto:dataprotection@gsa.ac.uk). You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues: <https://ico.org.uk/concerns>.

#### **Changes to this Privacy Notice**

If the GSA makes any changes to this Privacy Notice you will be informed either by an alert on the homepage of the website or corresponding with you directly.