

Individual Rights Under GDPR

Individual Rights

Personal Data

Personal data is any information relating to you that allows you to be identified. The definition of personal data has been broadened in order to take better account of electronic identification, eg from cookies or internet protocol addresses.

When requesting personal information, Glasgow Kelvin College provides individuals with a Privacy Notice which details the processing activities that the College would undertake.

Glasgow Kelvin College may also gather special categories of personal data which can include personal data that reveals an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, data about health and sex life or sexual orientation. Most of this information is gathered to provide statistical information to the Scottish Funding Council, which is required under the Equalities Act 2010. This information is provided by us to the Scottish Funding Council in an anonymised format that means individuals cannot be identified. Individuals can, of course, choose to answer "prefer not to specify" when completing such questionnaires. Glasgow Kelvin College may also gather relevant information about an individual's health whilst at the College in order to provide enhanced support or make any work place adjustments which may be required. Such information will only be shared with your consent and only on a need to know basis.

Principles of the Data Protection

Glasgow Kelvin College will seek to ensure data is:

1. processed lawfully, fairly and in a transparent manner in relation to individuals;
2. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
3. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
4. accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
5. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals;

6. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Glasgow Kelvin College, as the data controller, is accountable for the data it collects, processes, stores and shares. The College is registered as a data controller with the Information Commissioner's Office. Our registration number is Z6805161.

Individual Rights

Under the Data Protection Act 2018, individuals have certain rights that they are entitled to exercise in relation to the personal data that the College holds about them. The rights are detailed below as well as an explanation of how an individual would exercise them.

1 - The right to be informed

Along with any requests for personal information, Glasgow Kelvin College will provide a Privacy Notice which will detail all processing activities which will be undertaken on the information provided; this notice will include:

- why we are processing your personal data
- what categories of personal data we are processing
- who we are sharing your personal data with

Furthermore, the College operates a Data/Document Retention Schedule; this can be viewed via the following link:

[GKC Data Retention Schedule](#)

2 - The right of access

Individuals have a right to see personal data that the College holds about them if the data is stored electronically on a computer system or held in a structured manual paper file. This includes any personal information the Colleges holds about an individual even if it has been sent to us by another organisation, or if it is data that we have gathered about an individual during their time at the College.

Some personal data can be viewed directly using the Student Portal using the secure login details provided or, for staff, via the HR CINTRA system.

If an individual wishes to see any other personal data the College holds then a Subject Access Request can be made. The relevant form is contained within Appendix 1. Responses to Subject Access Requests are normally made within one calendar month or, exceptionally, within two months if it is a complex request.

If the College is unable to meet the one calendar month deadline then individuals will be kept informed accordingly.

3 - The right of rectification

If the College holds any personal data about an individual that they believe is inaccurate or incomplete, then they have a right to ask the College to correct it.

If the College is unable to correct an individual's data and have a legitimate reason for this, then an individual can provide the College with a supplementary statement that will be retained within the appropriate records.

If the College has passed an individual's personal data on to any other organisations (in accordance with our Privacy Notice) we will also ask them to update any personal data that they hold that we have passed to them for processing.

If the personal data held by the College is correct, we will not make any changes, but the individual will be advised of this.

If the College receives a change request, processing will be restricted (see Right to Restriction of Processing section below) until a decision is made.

4 - The right to erasure

If the College holds an individual's personal data and these are not being processed in compliance with data protection requirements, then an individual can make a request for all personal data to be deleted. This can only be undertaken in specific circumstances and if the College has no legal or legitimate reason for retaining it. This right should not be exercised against controllers processing personal data in the exercise of their public duties. It should not apply where the processing of the personal data is necessary for compliance with a legal obligation to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of an official authority vested in the controller.

If an individual successfully exercises this right, the College will take all reasonable measures to delete the personal data held, stop any further processing, and also advise any other organisations that has been passed this data (in accordance with the relevant Privacy Notice) to stop processing.

5 - The right to restrict processing

Individuals have a right to ask the College to restrict or stop processing their personal data if:

- the individual believe that the personal data the College holds about you is inaccurate;
- the individual believes that the processing of the personal data is unlawful;
- an individual wishes us to retain their data (outwith the Data/Document Retention Schedule) in order to establish, exercise or defend a legal claim.

The College will retain enough data to meet our needs for retaining your data, but will ensure it is not processed for any purposes for which you have asked us to stop the processing. We will advise any organisations that we have passed personal data to (in accordance with our Privacy Notice) to also restrict the processing where it is reasonable to do so. If we need to remove your right to restriction of processing in the future, we will advise you of this before any processing recommences.

6 - The right to data portability

Individuals have a right to request and reuse a digital copy of personal data held by the College. The data individuals are entitled to request under this right includes data provided to us by the individual and any observed data, e.g. attendance records, results. Individuals are not entitled to receive any data that is derived, eg ranking data, or inferred, eg student risk or intervention records or any data we have received from another organisation. Information will be provided to individuals in machine readable format in order that it can easily be reused by any other organisation. Individuals may receive the information in digital format from the College or they may ask the College to pass it on to another organisation.

7 - The right to object

Individuals have the right to object to processing of personal data where the basis for the College's processing it is legitimate interests.

As the College processes data by public interest, contract or by consent, it is unlikely that individuals will require to exercise this right in relation to personal data held by the College

If individuals were to have a valid reason for exercising this right, the College would require to stop processing an individual's data unless there was a compelling reason that was greater than an individual rights.

8 - Rights in relation to automated processing and decision making and profiling

Individuals have the right to object to automated processing where decisions are being made that have no human intervention and the decision made could potentially have a significant impact upon an individual. Automated processing is permitted where it is required for the purposes of a contract provided appropriate safeguards are in place, or where consent has been given. The College currently does not operate any automated processes or profiling activities without human intervention so this right should not be relevant in relation to any College activities.

Right to Breach Notification

The College is required to notify the Information Commissioner's Office of any significant breach of data protection (where it would significantly impact on the rights and freedoms of individuals) within 72 hours of the College becoming aware of the breach.

Individuals affected have a right to be notified of any breach of data protection that could affect them without undue delay where the security of personal data has been compromised. In cases where there is a high risk to you, the College will provide specific information to individuals about the steps which individuals should take for further protection as a result of the breach.

How to Exercise Your Rights

If an individual wishes to exercise any of the rights outlined in this guide then a request in writing should be made to:

Data Compliance Officer/Director of Corporate Services
Glasgow Kelvin College
Springburn Campus
123 Flemington Street
Springburn
GLASGOW
G21 4TD

Or by email to: gdpr@glasgowkelvin.ac.uk

A form has been supplied for ease – refer to Appendix 2. This can also be accessed on-line via the College website and emailed to gdpr@glasgowkelvin.ac.uk

Once a request has been received then an acknowledgement will be sent. A full response will be sent normally within one month.

Further Information

If an individual requires any further information about data protection or how to exercise data protection rights within the College, then please email gdpr@glasgowkelvin.ac.uk

Further information is also available on our website www.glasgowkelvin.ac.uk and on the Information Commissioner's website www.ico.org.uk

Appendix 1 - Subject Access Request Form

Please provide as much information as possible to enable Glasgow Kelvin College to respond to your Subject Access Request as fully as possible within the 30 day timescale. The 30 day timescale will commence as soon as requesters receive an acknowledgement of their request; this is normally the day after a request is received.

Please note that to avoid personal data about one individual being sent to another, we may require requesters to provide evidence, including verbal evidence, in relation to their identity.

Name:	
Address:	
Contact Telephone Number(s):	
Email Address:	
Unique ID Number:	
Details of The Specific Information You Require e.g. Personnel File:	
Any Relevant Dates e.g. Academic Year:	
Any Other Specific Information e.g. Department The Information Is Held	

How Would You Like This Information To Be Provided:	<input type="checkbox"/>	Electronically by email ie pdf format
	<input type="checkbox"/>	In hard copy format
	<input type="checkbox"/>	Direct access to data to be provided (if this service is available)
<p>Please submit this form directly on line, to gdpr@glasgowkelvin.ac.uk by clicking the submit button or pass a hard copy of this form to Reception staff who will send on to the Director of Corporate Services for processing. Thank you.</p>		

Subject Access Request forms are available:

- On the College Intranet - [GDPR - Landing Page](#)
- On the College website - [Website - Policies and Procedures](#)
- At the College Reception areas.

Forms can be accessed on-line and submitted directly to the College or, alternatively, requests can be made via gdpr@glasgowkelvin.ac.uk

Appendix 2 – Individual Rights

<p>What right is being exercised? (Please tick appropriate box opposite.)</p>	<ul style="list-style-type: none"><input type="checkbox"/> The right to be informed<input type="checkbox"/> The right of access – Please complete Subject Access Request form – (SAR Request Form)<input type="checkbox"/> The right of rectification<input type="checkbox"/> The right to erasure<input type="checkbox"/> The right to restrict processing<input type="checkbox"/> The right to data portability<input type="checkbox"/> The right to object<input type="checkbox"/> Rights in relation to automated processing and decision making and profiling
<p>Name:</p>	
<p>Staff/Student ID Number:</p>	
<p>Please supply any additional information which may assist us to meet this request:</p>	

Please submit this form to gdpr@glasgowkelvin.ac.uk