

# Data Sharing Agreement

## Cardiff University and Cardiff University Students' Union

Document Control Table			
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Published Version	Date	Author	Notes on Revisions
1.0	January 2006	Governance and Compliance	
2.0	August 2016	Information Rights Manager – Strategic Planning and Governance	Reformatted to new template, specific data fields included at 4. Section 5, 6, 7 and 8 added. Further minor amends.
3.0	September 2019	Senior Assurance Advisor – Strategic Planning and Governance	Updated Section 4 to reflect HEAR data sharing from SU and inclusion of Alumni in that sharing. Section 5 added for clarity re legal basis under GDPR. Clarity provided re Opt Out option. Inclusion of Tier 4 requirement for Jobshop at 8.3. Other minor changes

**Data Sharing Agreement between  
Cardiff University and Cardiff University Students' Union**

**1. Cardiff University undertakes to:**

- 1.1 inform applicants and pending enrolment students of the existence of the Cardiff University Students Union, the implications (from a personal data perspective) of joining the Students' Union and the individual's right not to be a member of the Students' Union;
- 1.2 record that an individual has exercised his/her right not to be a member of the Students' Union;
- 1.3 permit access to data held on the Student Information Management System (SIMS) via Business Objects to authorised Students' Union staff as necessary in order to fulfil the purposes of the Students' Union, as specified in Ordinance 13;
- 1.4 assist with training and advice for Students' Union staff on Data Protection requirements and the operation of SIMS and to provide advice on records management and data security;
- 1.5 liaise with the Student's Union in relation to conducting a bi-annual review of this agreement and adherence to the terms;
- 1.6 include this agreement on its website as part of the [Student and Applicant Data Protection Notice](#) and make students aware of it during enrolment.

**2. Cardiff University Students' Union undertakes to:**

- 2.1 use the personal data only for the purposes specified in [Ordinance 13](#), and to observe the Code of Conduct for Communication of Marketing or Promotional Material as per Section 3 below;
- 2.2 ensure that its staff are regularly trained in the use of SIMS, data protection and records management;
- 2.3 keep any personal data securely and in accordance with Data Protection legislation;
- 2.4 maintain separate databases for the purposes of unsolicited direct marketing, as covered by the Code of Conduct for Communication of Marketing or Promotional Material described in Section 3, and to keep adequate records of students opting out of such communications from the Students Union;
- 2.5 conduct regular audits of adherence to this agreement and/or co-operate with any such audit of adherence to this agreement conducted by the University or its agents;
- 2.6 refer any formal complaints it receives about matters covered by this agreement to the Academic Registrar, and inform the complainant of the referral;
- 2.7 Include reference to this agreement as part of the [Student Union Privacy Notice](#).

**3. Code of Conduct for Communication of Marketing or Promotional Material**

- 3.1 Notices communicated by the Students' Union to its members for the purposes of:

- public/University health and safety campaigns
- emergency notices in respect of civil contingencies
- supporting the democratic structures and activities of the Union

are not deemed to be marketing/promotional material and ongoing unsolicited communications to students for this purpose are acceptable without consent. The basis for such communication is because of a legal requirement to protect and promote the health and safety of the student body and for the purpose of its public task to promote democratic engagement derived from Section 22 of the Education Act, its [Memorandum and Articles of Association](#) and [Ordinance 13](#).

- 3.2 Unsolicited communications may be sent initially by the Students' Union to its members, to promote the Students' Union's operations and activities and/or commercial benefits secured by the Students' Union for its members, however, such communications should always be accompanied by the opportunity for members to opt out of future marketing, and where members exercise that right, this should be upheld. All such communications using the Cardiff University computing network shall comply with the Information Services IT Regulations<sup>1</sup>.
- 3.3 No personal data will be disclosed to external agencies for marketing purposes without the explicit consent of the data subjects.

#### **4. Information to Be Routinely Shared**

##### University with Students' Union

- 4.1 The University will provide the Students' Union with the following information for enrolled students in order to facilitate membership of the SU with the exception of those students described in 4.2:

First Name(s);  
Surname  
Student Number;  
Fee Status  
Department;  
Mode of Attendance;  
Date of Birth;  
Home Address and Postcode;  
Term Time Address and Postcode;  
Contact Email Address  
Mobile Telephone Number;  
User Name;  
Gender;  
Enrolment Status;  
Programme Description and Code  
Year of Study;  
Credits Obtained;  
Planned End Date;  
Left Date;  
Student Type Code;  
Library Card Number  
Welsh Communication.

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<sup>1</sup> <http://www.cardiff.ac.uk/public-information/policies-and-procedures/it-regulations>

No sensitive personal data will be routinely transferred between the University and the Students' Union.

- 4.2 The following students will be excluded from the routine sharing;
- partnership students studying wholly or mainly (that is for more than half their time) at a partner institution (with the exception of students enrolled on the C21 North Wales programme delivered by Bangor University);
  - research students at write-up stage;
  - students studying outside the UK;
  - non-UK based distance learning students;
  - students who have exercised their right not to be a member of the Students Union. (see Footnote<sup>2</sup>)
- 4.3 The University will also provide the Students Union with information about Intra-Mural Games participants for management reporting and to facilitate and monitor club engagement and administer the delivery of events and provision of facilities.

#### Students' Union with University

- 4.4 The Students' Union will provide the University with information for the purpose of populating individual student Higher Education Achievement Reports (HEAR). The University will provide the facility to allow individuals to edit their HEAR record and decide who has access to it.

A full list of the information currently included within the HEAR is available at the following website:

<https://www.cardiff.ac.uk/alumni/new-graduates/higher-education-achievement-report-hear/included-achievements>

- 4.5 The Student Union will also provide the University with information about Athletic Union Membership and associated Athletic Union Sport Club Membership to facilitate and monitor club engagement for management reporting, and to administer the operational delivery of events and provision of facilities in partnership with the AU. All direct promotion and marketing communications with AU club members regarding CU facilities and services will be agreed in advance with the AU.
- 4.6 Athletic Union membership may also be used for inclusion in the Alumni Database. This information will only be used for the purpose of facilitating alumni activities. These activities include, but are not limited to, reunions (where requested), lost contacts, invitations to events etc. All Alumni communication regarding Athletic Union

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<sup>2</sup> The University Students' Union offers a variety of services to its students. Every Student has the right not to be a member of the Union and to signify that he/she does not wish to be represented by a representative body, as outlined under Section 22(2)(c) of the Education Act 1994.

Any student wishing to exercise that right should notify the Academic Registrar or Students' Union President in writing, and their membership will be terminated accordingly. Every Student who has opted out of being a member of the Union, or not to be represented by a representative body which is not an association, will not be unfairly disadvantaged with regards to the provision of commercial services or otherwise. Students who have opted out of membership will not be permitted to engage with the democratic functions of the Students' Union.

membership activity will be agreed in advance with the SU. All alumni data held is subject to the Alumni department's privacy policy.<sup>3</sup>

## **5. Legal Basis for Sharing**

- 5.1 Routine sharing is undertaken on the basis that it falls within the legitimate interests of both parties and students/graduates in order to:
- facilitate membership of the Students Union allowing students to participate in its activities and democratic processes;
  - provide information to populate the HEAR to allow students and graduates to demonstrate their achievements to employers and other interested parties;
  - provide graduates with opportunities to engage with alumni activities based on their interests
  - facilitate engagement with University sports facilities and opportunities for Athletic Union members.

The sharing is considered necessary and proportionate and does not prejudice the rights, freedoms or legitimate interests of the data subjects. Individuals may opt out of membership of the Union at any time and in the case of the HEAR, control over who this information is shared with outside the University rests with the individual.

## **6. Frequency and Mode of Sharing**

- 6.1 Information will be provided from the University to the designated point of contact in the Students' Union in the form of a daily extract from SIMS via a Business Objects report. This will be transferred via a secure API.
- 6.2 Information will be provided from the Student Union to the relevant designated point of contact in Cardiff University in the form of a secure data file transfer.

## **7. Designated Points of Contact**

- 7.1 For routine sharing the following points of contact are designated for queries relating to the data and its transfer:

For the University:

Senior Manager, Corporate Systems, University IT  
Tel: 029 20870213

For the Students' Union:

Head of Web Development and Data Protection  
Tel: 029 20781405

## **8. Other information to be shared**

- 8.1 Personal data may also be shared between the parties where required and necessary in order to ensure that the policies, procedures and legal responsibilities of both the University and Students' Union are upheld, in order to investigate fully any alleged breach and where necessary take any further action. In particular due regard will be given to the Student Disciplinary Procedure and the rules of behaviour outlined therein.

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<sup>3</sup> <https://www.cardiff.ac.uk/alumni/contact-us/privacy-statement>

8.2 Where sensitive personal data<sup>4</sup> is involved, in particular the commission or alleged commission of a criminal offence, consideration will be given to whether the sharing is necessary in order for the University to promptly assess whether the student meets any fitness to practise standards required by the programme on which they are enrolled or to assess the risk posed by the individual to the wider student/staff body.

8.3 Where a student registers to work with Jobshop, information will be shared between the parties to ensure legal compliance with any Tier 4 restrictions that may be in effect.

## **9. Complaints and Remedies**

9.1 All formal complaints made by students in respect of matters covered by this agreement shall be notified to the Academic Registrar in the first instance.

**End of Document**

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<sup>4</sup> <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/>