

Newbattle Abbey College Privacy Notice – Collection and publication of online case studies, quotes and photographs

The Data Controller of the information being collected is: Newbattle Abbey College, hereafter referred to as NAC

For any more information about the proposed processing please contact studentadmin@nac.ac.uk

For any queries or concerns about how your personal data is being processed you can contact the relevant Data Protection Officer at DPO@nac.ac.uk.

This privacy statement relates to the following process:

Promotion of **NAC** by way of collecting, publishing and sharing details of student experiences and photographs of students.

This publication may include online publication, production of printed materials and sharing with other organisations.

The use of these materials would be without payment and **NAC** would retain copyright of the materials collected and shared.

NAC may also use some of your data collected to contact you to ask you if you would like to extend, or expand, the consent you have provided.

Your information will be used for the following purposes:

Purpose 1: Case study	<p>Collection and publication of case study responses provided by you. The details you provide in the case study form will be used, and may be edited before use, in published materials and environments such as:</p> <ul style="list-style-type: none"> • NAC website(s) • NAC social media accounts • NAC printed materials such as prospectuses or promotional leaflets • Sharing with media or other external organisations to use for the purposes of promoting or reporting on NAC matters.
Purpose 2: Evaluation quotes	<p>Collection and publication of responses to course evaluations provided by you. The details you provide may</p>

	<p>be used, and may be edited before use, in published materials and environments such as:</p> <ul style="list-style-type: none"> • NAC website(s) • NAC social media accounts • NAC printed materials such as prospectuses or promotional leaflets <p>Sharing with media or other external organisations to use for the purposes of promoting or reporting on NAC matters.</p>
Purpose 3: Photographs	<p>Collection and publication of photographs of you. The photographs may be used in published materials and environments such as:</p> <ul style="list-style-type: none"> • NAC website(s) • NAC social media accounts • NAC printed materials such as prospectuses or promotional leaflets • Sharing with media or other external organisations to use for the purposes of promoting or reporting on NAC matters
Purpose 4: Contacting you to ask for new consent to continue to use the materials once the original consent period expires or to ask you for new consent for new purposes of use	<p>Contact you for renewed written consent within the 5-year period if we wish to continue to use film, photo, sound recording and text that we have created featuring you or that you have provided.</p>

Our legal reason for using the data is/are:

You have given consent for the processing.

As you have given consent, you have the right to withdraw your consent. However, please be aware that some of these processing purposes involve publishing your personal data and it is not always possible to reverse publication once it has, or is in the process of, occurring. For example, if your data is printed in a published prospectus, then **NAC** will not be able to reverse this publication or withdraw your data from the public domain. Similarly, if your data is published on a website, then other individuals

may collect and reuse this data outwith the control of **NAC**. The above examples are not exhaustive.

With this in mind, please consider the warning above carefully before giving your consent.

Your data will, or may, be shared with the following recipients or categories of recipient:

Media organisations or other organisations who will use the information for the purposes of promoting or reporting on NAC.

For example, but not limited to; local or national newspapers, media organisations, radio stations, local or national government or government bodies, tourism bodies.

Many organisations will have a journalistic reason to report on **NAC** matters, **NAC** may be asked for comment or to provide materials relating to the **NAC**, including your data, for research or journalistic purposes, including publication. The data collected may be passed to these organisations for reporting or promotional purposes, including publication.

Other organisations may have a reason to report on, or promote **NAC**, including publication. **NAC** may pass promotional materials, including your data, to these organisations for their reporting or promotional purposes.

DYW, Skills Development Scotland and other organisations seeking to promote education and skills development in Scotland.

There are organisations whose purpose is to promote education and skills development. Given the similarities between their missions and the mission of **NAC** (to promote and provide education and skills development), the **NAC** may wish to pass promotional materials, including your data, to these external organisations for them to use both internally or for publication to promote their own services or **NAC**.

Social Media and website hosting companies

In order to publish promotional material, including your data, online **NAC** use both its website and its social media accounts. The **NAC** use various accounts with various companies to host and publish its promotional material online.

These social media accounts may include, but will not be limited to:

- 1) Facebook ([privacy notice for UK citizens](#))
- 2) Twitter ([privacy notice for UK citizens](#))
- 3) Instagram ([privacy notice for UK citizens](#))

- 4) YouTube ([privacy notice for UK citizens](#))
- 5) LinkedIn ([privacy notice for UK citizens](#))
- 6) **NAC** website

Your data will be retained for the following length of time:

NAC:

No longer than five years from the end of the academic year in which the data is collected. For example, if your data is collected in February 2021, then your data would be deleted at the end of the 2025/26 academic year (July 2026).

International data transfer and publication

The UK GDPR restricts the transfer of personal data to countries outside the UK, or international organisations. This restriction is in place because once data is transferred in this way it may not be subject to the UK GDPR and you will lose the ordinary UK GDPR protections (protections and rights) for your data once it has been transferred. Once the data has been transferred it may be subject to other local data protection laws in the receiving country – or no data protection law at all if no such law exists in the receiving country.

It is, therefore, very important for you to be informed that your data will be transferred in this way and important that you read and understand the information provided to make sure you are making a fully informed choice when deciding whether or not to consent to the proposed international data transfer.

NAC propose to share your data with some service abroad, such as social media platforms, and to publish your data in other ways. Once data has been published in the public domain it is very difficult, and often impossible, to retract and/or contain.

International data transfer - The proposed international transfer.

NAC plan to:

1. Share your data with companies based outwith the UK for the purposes of publishing your data online (**NAC** website and social media platforms)
2. Publish your data online where it can be accessed from any other country in the world
3. Publish your data in hard copy, noting that these publications can be transferred to any other country or otherwise reproduced and transferred to any other country.

4. Share your data with organisations that may be established outwith the UK or rely on services based outwith the UK and who may publish your data online or in hard copy.

This international transfer takes place subject to the following exceptions or safeguard being in place to allow the international transfer:

You have given explicit consent for the international transfer.

International data transfer - The identity of the receiver, or the categories of receiver & the country or countries to which the data is to be transferred.

The ICO explains that putting personal data on to a website will often result in a restricted transfer. The restricted transfer takes place when someone outside the UK accesses that personal data via the website. In addition, **NAC** will be deliberately making international transfers by transferring your data to companies outwith the UK such as social media platforms (see the 'Your data will, or may, be shared with the following recipients or categories of recipient' section of this privacy notice for a full list of potential recipients, noting that some or all of these may publish your data themselves).

The data will be made available on a public-facing websites and published in hard-copy materials meaning any individual, in any country or territory in the world, will be able to access the data.

This means that you and **NAC** will not know who has accessed your data on the website.

Why NAC are planning to make the transfer?

The purpose of the international transfer is:

The promotion of, and reporting on, **NAC** and their partner organisations (those partner organisations being listed in the 'Purposes' and 'sharing' sections of this notice).

The purposes are set out fully in the 'This privacy statement relates to the following process' and 'Your information will be used for the following purposes' sections of this privacy notice.

NAC is choosing to meet this purpose in a way that require international transfers as the world now primarily relies on the internet and, in many cases, social media platforms for communicating and promoting goods and services. **NAC** have strong evidence that potential students choose to seek information about learning at **NAC** online and through social media and websites.

International data transfer - The type of data to be transferred:

The personal data to be transferred will be: That data that is collected (a combination of case study material, evaluation quotes or photographs of you, this may include your name and details of your studies at **NAC**) under this privacy notice.

International data transfer - Your right to withdraw consent and how this may be limited once your data has been transferred:

The transfer will only take place with your explicit consent (given in the explicit consent tick box on the relevant consent form provided with this notice). You have the right to withdraw your consent at any time and **NAC** will stop using the data collected for this purpose. However, please be aware that some of these processing purposes involve publishing your personal data and it is not always possible to reverse publication once it has, or is in the process of, occurring. For example, if your data is printed in a published prospectus, then **NAC** will not be able to reverse this publication or withdraw your data from the public domain. Similarly, if your data is published on a website, then other individuals may collect and reuse this data outwith the control of **NAC**. The above examples are not exhaustive.

To withdraw your consent please email studentadmin@nac.ac.uk

Please note that if your data has been accessed by parties in third countries not covered by the UK GDPR you may not be able to exercise the same rights associated with consent under the UK GDPR against those third parties – including withdrawing consent for processing.

International data transfer - The possible risks involved in making a transfer to a country which does not provide adequate protection for personal data:

The UK GDPR restricts the transfer of personal data to countries outside the UK, or to certain international organisations. This restriction is in place because once data is transferred in this way it will not be subject to the UK GDPR and you will lose the ordinary UK GDPR protections (protections and rights) for your data once it has been transferred. Once the data has been transferred it may be subject to other local data protection laws in the receiving country – or no data protection law at all if no such law exists in the receiving country.

Your data will be transferred to: Your data will be transferred to, at least the USA and may be transferred to or accessed from any other country in the world (as it will have been published online).

There is a risk with international transfers of this type that you will lose control of your data if it is accessed by a party to whom the UK GDPR does not apply. This is because you will not be able to exercise your ordinary UK GDPR rights against that party, there

may be no supervisory authority to appeal to, and there may be no other local data protection or privacy law on which you can rely to exercise any control over your data held by the third party. You may not be able to control who uses your data, for what purpose, with whom they share it, limit any use of the data, and you may not be informed at all that third parties are using your data.

Your data may be accessed by third parties in countries with no data protection laws and these parties may use your data in a way that would be unlawful under the UK GDPR, but which are lawful in their own country. In such circumstances you would likely have limited, or no, ability to stop or influence that processing.

There are risks involved with international transfers and you should only consent if you have read and understand the above and still wish to proceed.

International data transfer – Limits on rights due international transfers:

Your ability to exercise your rights once an international transfer has taken place may be limited. If your data is transferred to a country without the UK GDPR or other similar laws and protections you may not be able exercise these, or any other, data protection rights in respect of the transferred data. Your rights under the UK GDPR are included in this privacy notice.

The following rights are the UK GDPR rights of data subjects:

- The right to access your personal data
- The right to rectification if the personal data we hold about you is incorrect
- The right to restrict processing of your personal data

The following rights apply only in certain circumstances:

- The right to withdraw consent at any time if consent is our lawful basis for processing your data. In this case please be aware of the consent warning in the 'Our legal reason for using the data is/are' section and consent warning in the 'International data transfer and publication' section.
- The right to object to our processing of your personal data
- The right to request erasure (deletion) of your personal data
- The right to data portability

You also have the right to lodge a complaint with the Information Commissioner's Office about our handling of your data.