

De Montfort University Kazakhstan
**Regulation on Student Personal Data: Capture,
Retention and Disposal**



**DE MONTFORT
UNIVERSITY**
KAZAKHSTAN

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1 Introduction

1.1 The University is committed to ensuring that the personal information of all Students is handled in accordance with the principles of current Data Protection legislation, including the General Data Protection Regulation and the Data Protection Act 2018 and other relevant related legislation (“Current Data Protection Legislation”).

These purposes include:

- Maintenance of a Student’s record (including personal and academic information)
- Management of academic processes (including teaching, assessment and the conferment of awards)
- Provision of support
- Management of University owned and sourced halls of residence
- Management of disciplinary processes

2 Disclosure of examination and assessment results to Students

2.1 This section sets out the agreed policy on the disclosure of examination and assessment results to Students. The Code of Practice below satisfies the legal requirements for the disclosure of information under current Data Protection legislation.

2.1.1 The University treats examination and assessment results with strict confidentiality. Results are communicated to Students on an individual basis.

2.1.2 The University will confirm to each Student the results which they have been awarded in respect of each individual assessment.

2.1.3 The assessment and grading of Student performance, and decisions about intermediate and final awards, are the responsibility of the relevant Assessment Boards.

2.1.4 The results awarded to Students for each individual assessment will be determined in accordance with the University and subject regulations.

- 2.1.5 As soon as possible after Assessment Board meetings, candidates will be informed of the final results which they have achieved in individual assessments.
- 2.1.6 The notification of examination results to Students does not imply any element of negotiability regarding those results, nor is it related to the formal procedures which exist for the review of Assessment Board decisions. Staff must not discuss with Students the proceedings of Assessment Boards.
- 2.1.7 Except for data determined and stored from previous Assessment Board meetings, no final examination or assessment results should be subject to automated data storage. No 'new' final examination or assessment results should be placed on a machine automated file prior to 40 days before the date on which an Assessment Board is to consider such assessment.
- 2.1.8 By making final stage results available to candidates under the standard procedures set out above, the University would expect to minimise requests on other occasions for access to machine-stored data. Adherence to the directions in paragraph 2.1.7 above will mean that information available to individuals through such applications will only be that which has been formally considered and presented to an Assessment Board.
- 2.1.9 Applications by data subjects for access to machine-stored data otherwise than under the standard procedures set out in paragraphs 2.1.1 to 2.1.5 above will be dealt with as they arise. A person may only apply for access to his or her own examination data. Applications must be made in writing to the Executive Director of Student and Academic Services, signed by the applicant. The Executive Director will keep a record of such applications.

3 Disclosure of information about Students

- 3.1 The disclosure of any personal information about Students is subject to the requirements of current Data Protection legislation where applicable.
- 3.2 All requests from outside the University for disclosure of information about current or former Students should be considered in the light of the following guidance. In considering such requests, members of the University should observe the general principle that information relating to an identifiable individual must not be disclosed without the consent of

the individual concerned. Any exceptions must be agreed with the Information Governance Manager.

- 3.3 Requests for information about individuals must be made in accordance with current Data Protection legislation and addressed to the University's Information Governance Manager.
- 3.4 Requests for information made in accordance with the Freedom of Information Act must be addressed to the University's Information Governance Manager.
- 3.5 The University will disclose certain information, including details of attendance and academic progress, to the sponsor(s) of a Student where such disclosure is a specific condition of the sponsorship and this has been evidenced. The University will disclose information of a specified kind, upon verification of identity, to a representative who has been named by a Student to act on their behalf.
- 3.6 The University may undertake to make reasonable attempts to pass on information from a third party to a Student without acknowledging to the third party whether or not the individual is a student at DMU.
- 3.7 The University will not accede to requests for personal data about groups or categories of Students where individual Students might be identified unless it is able to secure the consent of each individual Student concerned.
- 3.8 Students who have successfully completed their programmes of study are usually eligible to attend graduation ceremonies or similar public events. Graduation brochures, and other material associated with such events, may contain lists of Students who have achieved degrees and other academic awards.
- 3.9 In cases of any doubt, advice should be obtained from the University's Information Governance Manager.

4 Policy on image capture

- 4.1 The General Data Protection Regulation and the Data Protection Act 2018 regulate the use of all personal information, including physical, physiological or genetic characteristics. This means that photographs of individuals where the individual can be identified fall within the scope of Data Protection legislation and are therefore subject to data protection principles.

- 4.2 From time to time the University may arrange for photographs (including video photography) to be taken which may include individual subjects or groups of individuals depending on the particular circumstances.
- 4.3 The photographs taken by the University may be used for promotional, marketing, training, teaching or assessment purposes. These may include (but are not limited to) the production of printed materials such as the University prospectus, brochures, the posting of photographs on the University's website or the use of video photography in television advertising.
- 4.4 The legal basis for this use is Legitimate Interests. Any Student who has objections to their image being captured should inform the University's Information Governance Manager. It should be noted that where a Student is present within a picture where they are not the primary subject (for example where they are in an audience or crowd) then they do not normally have the right of erasure. Where they are clearly the central figure in a photograph, they can object to said processing and request erasure.

5 Retention and disposal of Student records

- 5.1 Most records with regard to Students are retained for a minimum of six years after graduation, dismissal or withdrawal from the University. Records may be kept longer than this minimum if there is a legitimate and reasonable business need for the University to keep such records.
- 5.2 If, after six years, a Student's record is destroyed, the individual Student's final transcript and assessment board minutes will be retained to enable the University to verify a Student's achievements.