

# Privacy Notice

## Introduction

This website is owned and operated by the Association of Commonwealth Universities (ACU)

The ACU respects your privacy and is committed to protecting your personal data. This privacy notice will inform you how we look after your personal data when you visit our website (regardless of where you visit it from) and use our services and tell you about your privacy rights and how the law protects you.

Please also use the Glossary to understand the meaning of some of the terms used in this privacy notice. For a quick 'at a glance' view of the types of personal information and how we use them, please see the table below.

## Important information and who we are

### Purpose of this privacy notice

This privacy notice aims to give you information on how the ACU collects and processes your personal data through your use of our website and services.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you, so that you are fully aware of how and why we are using your data. We want to be as transparent as possible in the way in which we use your information, so that you can be comfortable in providing the information to us and be clear on why we need certain information.

### Controller

The ACU is the controller of this website and responsible for your personal data (collectively referred to as "ACU", "we", "us" or "our" in this privacy notice). If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact us using the details set out below.

### Contact details

Our full details are:

Full name of legal entity: Association of Commonwealth Universities (charity number 314137)

Data Protection Registration Number: Z1318520

Contact: Data Protection Manager

Email address: DPO@acu.ac.uk

Postal address: Woburn House

20-24 Tavistock Square

London

WC1H 9HF

United Kingdom

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. We would, however, appreciate the chance to deal with your concerns before you approach the ICO, so please contact us in the first instance.

### **Changes to the privacy notice and your duty to inform us of changes**

This notice may be updated from time to time. Where possible we will notify you of any changes to this notice, by way of email or communicated to you by another means which you have agreed we may contact you by.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes.

### **Third-party links**

Our website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

### **The data we collect about you**

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). We may collect, use, store, and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes first name, maiden name, last name, username or similar identifier, marital status, title, photographs, and telephone numbers.
- **Identification Evidence Data** includes uploaded passport, utility bills, birth certificate, driver's licence, or any other identification evidence for the purpose of validating your identity.
- **Employment Data** includes employment status and job title.
- **Educational and Qualifications Data** includes details on any qualifications gained or courses attended relevant to the delivery of our services.
- **Contact Data** includes billing address, delivery address, email address, and telephone numbers.
- **Financial Data** includes bank account and/or payment card details.
- **Transaction Data** includes details about payments to and from you and other details of services you have purchased from us.
- **Services Data** includes members, clients, partners, and employee names and contact details, along with details on job roles and qualifications.
- **Technical Data** includes internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this website.
- **Usage Data** includes information about how you use our website.

We also collect, use, and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

**Special Categories of Personal Data** can include details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data. We may collect, use, store, and transfer different kinds of special personal data about you which we have grouped together as follows:

- **Medical Information** includes health information which could impact an individual's ability to perform their job or role such as: accidents, physical or learning disabilities.

### **If you fail to provide personal data**

Where we need to collect personal data by law or in order to provide our services to you and you fail to provide that data when requested, we may not be able to provide such services. In such case, we may have to cancel the support we provide but we will notify you if this is the case at the time.

### **How is your personal data collected?**

We use different methods to collect data from and about you including through:

- Direct interactions. You may give us your Identity and Contact Data when you contact us via this website or by corresponding with us by post, telephone, email, or otherwise.
- Automated technologies or interactions. As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions, and patterns. We collect this personal data by using cookies, server logs, and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our cookie policy for further details.
- Third parties or publicly available sources. We may receive personal data about you from various third parties such as your university and public sources.

### **How we use your personal data**

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests; for example, via the enquiry form on this website
- Where we need to comply with a legal or regulatory obligation; for example, data collected and processed in the context of an investigation into alleged or actual financial criminal activity

Generally, we do not rely on consent as a legal basis for processing your personal data unless we are processing Special Category Data, in which case we will use Explicit Consent. You have the right to withdraw consent to marketing at any time by contacting us.

### Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are, where appropriate.

We may process your personal data for more than one lawful basis depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific lawful basis we are relying on to process your personal data where more than one basis has been set out in the table below.

Purpose/activity	Type of data	Lawful basis for processing including basis of legitimate interest and further description of activity	Further information and retention Period
<p>To manage our relationship with you which will include:</p> <p>(a) Notifying you about changes to our terms or privacy notice</p> <p>(b) Notifying you of changes or updates to our services or products that we feel may be of interest to you</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p>	<p>(a) Performance of a contract with you</p> <p>(b) Necessary to comply with a legal obligation</p> <p>(c) Necessary for our legitimate interests</p> <p>(d) Consent</p>	<p>From time to time we may change our policy, terms of use, or the way in which our services operate. We may need to process your information to communicate those changes</p> <p>Where you are required to accept a change, we will keep a record of that acceptance which may include your personal data to identify you</p>

Purpose/activity	Type of data	Lawful basis for processing including basis of legitimate interest and further description of activity	Further information and retention Period
			have accepted such changes
To register and administer membership services	(a) Identity (b) Contact (c) Employment	(a) Performance of a contract with you (b) Necessary for our legitimate interests	For as long as your institution is a member
To administer events	(a) Identity (b) Contact (c) Employment (e) Medical (Dietary & Disability)	(a) Necessary for our legitimate interests (b) Processing is carried out during the legitimate activities of a charity or not-for-profit body	For as long as your institution is a member
To administer surveys	(a) Identity (b) Contact	(a) Necessary for our legitimate Interests	For as long as your institution is a member
To process and deliver our services including: (a) Managing payments, fees and charges	(a) Identity (b) Contact (c) Employment (d) Educational (e) Financial	(a) Performance of a contract with you (b) Necessary for our legitimate interests	For as long as your institution is a member Any billing information is retained for 7 years for tax purposes

Purpose/activity	Type of data	Lawful basis for processing including basis of legitimate interest and further description of activity	Further information and retention Period
(b) Collecting and recovering money owed to us			
To administer and support our programmes, fellowships and grants	<ul style="list-style-type: none"> <li>(a) Identity</li> <li>(b) Contact</li> <li>(c) Employment</li> <li>(d) Educational</li> <li>(e) Medical</li> </ul>	<ul style="list-style-type: none"> <li>(a) Performance of a contract with you</li> <li>(b) Necessary for our legitimate interests</li> <li>(c) Processing is carried out during the legitimate activities of a charity or not-for-profit body</li> </ul>	
<p>To administer and support the Queen Elizabeth Commonwealth Scholarships (QECS) scheme, including:</p> <ul style="list-style-type: none"> <li>(a) Application and awards</li> <li>(b) Alumni</li> </ul>	<ul style="list-style-type: none"> <li>(a) Identity</li> <li>(b) Contact</li> <li>(c) Employment</li> <li>(d) Educational</li> <li>(e) Medical</li> </ul>	<ul style="list-style-type: none"> <li>(a) Performance of a contract with you</li> <li>(b) Necessary for our legitimate interests</li> <li>(c) Processing is carried out during the legitimate activities of a charity or not-for-profit body</li> </ul>	Any qualification data such as your learning records are retained for 7 years. Awards data is retained for reporting and historical purposes.
To administer and support our contracts with our clients such as	<ul style="list-style-type: none"> <li>(a) Identity</li> <li>(b) Contact</li> </ul>	<ul style="list-style-type: none"> <li>(a) Performance of a contract with you</li> </ul>	For the duration of the contract

Purpose/activity	Type of data	Lawful basis for processing including basis of legitimate interest and further description of activity	Further information and retention Period
HEGE, ICED or SEDA	(c) Employment (d) Educational (e) Medical	(b) Necessary for our legitimate interests (c) Processing is carried out during the legitimate activities of a charity or not-for-profit body	
To process any enquiry	(a) Identity (b) Contact	(a) Necessary for our legitimate interests	<p>When we process a query or question as part of our service, we will need to process your Identity and Contact Data in order to respond to your questions</p> <p>The question and our response will only be retained for the duration of the time that you are a Client, Partner or Member or enquirer and then will be deleted</p>

Purpose/activity	Type of data	Lawful basis for processing including basis of legitimate interest and further description of activity	Further information and retention Period
Administration of suppliers and third party organisations which provide services to the ACU	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests  (b) Necessary to comply with a legal obligation	Only for as long as is necessary. May be aggregated and identity removed and will no longer be personal data capable of identifying you  No more than 12 months if not aggregated
To use data analytics to improve our, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	(a) Necessary for our legitimate	Only for as long as is necessary. May be aggregated and identity removed and will no longer be personal data capable of identifying you.  No more than 12 months if not aggregated

### Third-party marketing

We will obtain your express opt-in consent before we share your personal data with any company outside of the ACU for marketing purposes.

### Opting out

You can ask us to stop sending you marketing messages at any time by contacting us. Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a service or other transactions.

### **Change of purpose**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to have an explanation of how the processing for the new purpose is compatible with the original purpose, please contact us. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

We may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

### **Transferring your data outside the EEA**

Where we use external companies to collect or process data on our behalf, your personal data may be transferred to, and stored at, a destination outside the European Economic Area ("EEA"). It may also be processed by staff operating outside the EEA who work for us or for one of our suppliers. Such staff may be engaged in, among other things, the provision of support services.

We will meet our obligations under data protection legislation by ensuring that your personal data receives the level of protection equivalent to that required within the EEA, because we or our service providers have entered into model European Union (EU) clauses with any sub-processors we or they use based outside the EEA; or such processors have established a set of binding corporate rules with their foreign subsidiaries that are based outside the EEA; or the Information Commissioner has made a positive finding of adequacy in relation to the territory in which the processor or sub-processor is based and where your personal data may be processed.

We will take all steps reasonably necessary to ensure that your personal data is processed securely, in compliance with data protection laws and in accordance with this privacy notice.

Where we have given you (or where you have chosen) a password which enables you to access certain parts of our website, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our website; any transmission is at your own risk.

Once we have received your information, we will use strict procedures and security measures to prevent unauthorised access.

### **Sharing your personal information with third parties**

We will only share your personal data if we are under a duty to disclose your information in order to comply with any legal obligation, or in order to enforce or apply our terms of use and other agreements, or to protect the rights, property, or safety of the ACU, our customers, or others. This includes exchanging information with other companies and organisations for the purposes of terrorism prevention, fraud protection and credit risk reduction.

We may need share information with certain partners to carry out work on our behalf, for example, fulfilment companies, event partners, or scholarship funders. Where we enter into a relationship with an external party that would involve them processing your personal data on our behalf, any such arrangements will be subject to a formal agreement between the ACU and that organisation, aimed to protect the security of your data.

In certain circumstances we may also share your data with hotels, airlines, and travel agencies should the ACU arrange your travel and accommodation, for example, if you are invited to one of our events.

When working with partner universities to deliver an online or physical event, registration details may be shared with event partners for the purposes of monitoring attendance.

Whenever we share your personal data with third parties, it will be done lawfully, fairly, and transparently, and we will ensure that your rights and freedoms in respect of the processing of your personal data are adequately and appropriately protected. We will not sell your data to any third party.

## **Data security**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used, or accessed in an unauthorised way, altered, or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors, and other third parties that have a business need to know. They will only process your personal data on our instruction and they are subject to a duty of confidentiality. We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## **Data retention – how long will you use my personal data for?**

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data; the potential risk of harm from unauthorised use or disclosure of your personal data; the purposes for which we process your personal data and whether we can achieve those purposes through other means; and the applicable legal requirements.

By law we have to keep basic information about institutions and scholars (including Contact, Identity, Financial and Transaction Data) for six years after they cease being clients for tax purposes.

In some circumstances you can ask us to delete your data; see 'Request erasure' below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

## **Your legal rights**

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please review the detail below to find out more about your legal rights. If you wish to exercise any of the rights set out above, please contact us.

### **No fee usually required**

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

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **Time limit to respond**

We aim to respond to all legitimate requests within one calendar month. Occasionally it may take us longer than a calendar month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## **Glossary**

### **LAWFUL BASIS**

**Legitimate interest** means the interest of our organisation in conducting and managing our business to enable us to give you the best service and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

**Performance of contract** means processing your data where it is necessary for the performance of a contract to which you are a party, or to take steps at your request before entering into such a contract.

**Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

### **THIRD PARTIES**

#### **External Third Parties**

- Suppliers acting as processors based in the European Union and the United States of America that provide software and systems.
- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors, and insurers based the UK that provide consultancy, banking, legal, insurance, and accounting services.
- Universities and other educational establishments acting as controllers based both in the EU and globally.

- HM Revenue & Customs, regulators, and other authorities acting as processors or joint controllers based in the United Kingdom that require reporting of processing activities in certain circumstances.

## Your Legal Rights

You have the right to:

**Request access** to your personal data (commonly known as a 'data subject access request'). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. We may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it has an impact on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise, or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. This right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you believe that any information we are holding on you is incorrect or incomplete, please write to or email us as soon as possible, at [DPO@acu.ac.uk](mailto:DPO@acu.ac.uk). We will promptly correct any information found to be incorrect.