



any special category data, you will also need to meet certain conditions set out in data protection legislation, such as having the explicit consent of the individual.

We also have to meet the two underlying principles of necessity and proportionality, which simply means that we need to be sure that it is necessary to share the personal data that we hold and we only share as much data as is needed and no more.

[Data Protection Officer](#) if you are unsure about whether data should be shared. In some cases, it is the Data Protection Officer that makes the decision about disclosure, for example, disclosure to the Police.

### **3. Lawful basis for disclosure**

Usually, there will be a contractual or legal obligation which means the University is able to disclose personal data. For example, we have a legal obligation to share data about students with the Higher Education Statistics Agency or with Student Finance England. Disclosure in these sorts of cases is dealt with centrally by the University and usually on the basis of Data Sharing Agreements or notices being in place.

When dealing with individual requests for personal data about students, our lawful basis will usually be consent or vital interests.

#### **a) Consent**

*any freely given, specific, informed and unambiguous indication*  
personal data.

For consent to be valid, the student needs to know exactly what information about them will be shared and with whom. Consent must be given by a clear affirmative action

not withdrawn it or changed their preferences. You can always contact the [Data Protection Officer](#) if you need help drafting a consent form.

Please remember to check the student's identify when asking for their consent. As a general rule, if a University of Sussex email address is used, you can accept this as proof of identity. Otherwise, you should ask for other pieces of information so that you can be assured the student



Requests might come from the following external sources:

**a) Police forces or other law enforcement bodies**

Before we are able to disclose student data to the police and other law enforcement bodies, we have to consider whether the exemptions in the data protection legislation apply, for example, is it necessary for the apprehension or prosecution of offenders. So all such requests must be referred to the [Data Protection Officer](#). These requests may be made urgently by telephone, but they still need to be referred to the Data Protection Officer to decide whether personal data can be disclosed.

**b) Local authorities**

Often, local authorities will approach the University and ask for information about students. These requests relate to a range of issues such as housing, council tax, and noise complaints. As with the requests from police forces detailed above, we have to assess each request and consider whether there is an exemption in the data protection legislation or other law that allows our disclosure of the data. For this reason, please refer any local authority requests for student data to the [Data Protection Officer](#).

**c) Statutory or regulatory bodies**

Requests for general or aggregated student data are likely to be received only by certain teams who will handle these requests regularly. Requests for data about individual students are rare. Where these are received there are often specific data sharing a

**d) Family or friends**

Even though a requestor might be related to the student or a close friend, they are

it seems that disclosure would be low risk or harmless. Unless the student has given their consent to release data to this person, we cannot release -300560053v00400050.000000 0 50

the student has given their consent to the sharing of their data. They will also be able to check the status of the consent previously given by the student, to ensure that it is still valid.

*details of my academic progress to be shared with my fee sponsor*

disclosed to the fee sponsor and no other parties. Evidence of the valid consent should be kept alongside any disclosure which is then made.

#### **f) Media**

If you receive a request for student personal data from a journalist or other media source you should direct them to the following webpage where they will be able to get further details of who to contact: <https://www.sussex.ac.uk/news/media-centre/contact-us>

We would not normally disclose personal data to the media, but the media team will review the request and determine whether the data requested should be released or withheld.

#### **g) Award confirmation**

The Higher Education Degree Datacheck service handle all requests for employers and agencies to verify University of Sussex awards. If you receive such a request then please refer the requestor the following web page: <http://www.sussex.ac.uk/ssro/verification>.

#### **h) Recruitment agents**

Requests for student personal data may come in from recruitment agents. No student personal data should be disclosed without student consent, even if the agent requires it for a job offer or other valid reason. If you receive such a request then please refer the requestor to the Higher Education Degree Datacheck service on the following web page:

