

## PRIVACY NOTICE FOR DATA SOURCED FROM THE PUBLIC DOMAIN USED IN UNDERGRADUATE MEDICAL TEACHING

### What is the purpose of this document?

Imperial College of Science, Technology and Medicine (the “College” or “Imperial”) is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your relationship with us, in accordance with the applicable data protection legislation the Data Protection Act 2018 and the General Data Protection Regulations (the “GDPR”) and the College’s *Data Protection Policy*.

The College is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to individuals who have placed their personal information in the public domain of their own volition. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

### Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

### The kind of information we hold 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).

There are "special categories" of more sensitive personal data which require a higher level of protection.

We may collect, store, and use the following categories of personal information about you:

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- Personal contact details such as name, title, addresses, telephone numbers, personal email addresses, and social media handles.
- Date of birth
- Gender
- Digital media such as photographs, film footage or audio recordings

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs and sexual orientation.
- Information about your health, including any medical condition, health and sickness records
- Genetic information and biometric data.

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

We collect most of the personal information about you from national image banks which have been compiled by another institution where there is confidence in the diligence undertaken regarding the provenance of the information or from published journal articles which are peer reviewed and where the authors must attest to the provenance and consent of the use of the information.

We may sometimes collect information from a blog or social media channels where Imperial College London can be confident you chose to make it public, and it was an active choice and deliberate act on your part to make that data public.

### **How we will use information about you and the legal basis for processing your data under the GDPR**

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

With your consent

Where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us.\*

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.\*\*

### **Situations in which we will use your personal information**

We need all the categories of information in the list above (see The kind of information we hold about you) primarily to primarily to deliver clinical teaching to our medical undergraduates. In some cases, we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below. We have indicated by [asterisks] the purpose or purposes for

which we are processing or will process your personal information, as well as indicating which categories of data are involved.

- To give medical undergraduates access to medical and health information pertinent to their studies\*
- To educate our undergraduate medical students via an online platform\*
- To maintain a database of patient testimony for use in undergraduate clinical teaching\*
- To academically assess our students\*
- For the purposes of learning analytics\*\*:
  - To improve the student experience for current and future student cohorts
  - To enhance the effectiveness of the College's learning, teaching and assessment activities
  - To support the design and delivery of programmes and modules.

Where we use personal data for these purposes, we will ensure that any published information is anonymised. Results will be presented as aggregate data, even if the underlying calculations depend upon matching data at individual level.

- To investigate disciplinary issues, complaints and student appeals\*
- To ensure we meet all legal obligations to the General Medical Council (GMC) regarding the provision of education to medical undergraduates\*

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

### **Change of purpose**

We will only use your personal information 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 we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

### **How we use particularly sensitive personal information**

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

Where the processing relates to personal data which have been manifestly made public by you.

Where the processing is necessary for reasons of public interest in the area of public

health.

## **Our obligations**

We will use your particularly sensitive personal information in the following ways:

- To give medical undergraduates access to medical and health information pertinent to their studies
- To ensure we meet all legal obligations to the General Medical Council (GMC) regarding the provision of clinical experience to medical undergraduates
- To deliver education to our undergraduate medical students via an online platform
- To populate and develop a database of patient testimony for use in undergraduate clinical teaching
- To academically assess our students

Where the processing is necessary for reasons of public interest in the area of public health (e.g. ensuring the safety of medicinal products). **Do we need your consent?**

We do not need your consent to process sensitive personal information if we use special categories of your personal information to educate our undergraduate medical students where the processing relates to personal data which have been manifestly made public by you. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data where possible. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent..

## **Automated decision-making**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

## **Data sharing**

### **Why might you share my personal information with third parties?**

We may share your personal information with third parties where required by law, where it is necessary to administer the relationship with you or where we have another legitimate interest in doing so.

### **Which third-party service providers process my personal information?**

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within the College group. [The following activities are carried out by third-party service providers:

- Microsoft will process your personal information to enable us to host and record online clinical sessions.
- NortonLifeLock will process your personal data, so we can ensure it is stored and, where applicable, destroyed securely

### **How secure is my information with third-party service providers and other entities in our group?**

All our third-party service providers and other entities in the College group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

### **What about other third parties?**

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business and operations of the College. We may also need to share your personal information with a regulator or to otherwise comply with the law.

### **Transferring information outside the EU**

We will not transfer your data outside of the European Union (EU) or European Economic Area (EEA). If we plan to do so, we will update our privacy notice and inform you accordingly.

### **Data security**

We have put in place measures to protect the security of your information.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

### **Data retention**

#### **How long will you use my information for?**

We will only retain your personal information 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. Details of retention periods for different records the College holds are available in our retention policy which is available on this website: <http://www.imperial.ac.uk/media/imperial-college/administration-and-support->

[services/records-and-archives/public/RetentionSchedule.pdf](#). 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.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

## **Rights of access, correction, erasure, and restriction**

### **Your duty to inform us of changes**

It is important that the personal information we hold about you is accurate and current where possible or necessary.

### **Your rights in connection with personal information**

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information 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. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the College's Data Protection Officer in writing.

### **No fee usually required**

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such 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 the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### **Right to withdraw consent**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact [FEO.IG@imperial.ac.uk](mailto:FEO.IG@imperial.ac.uk) or, if unable to do so, the College's Data Protection Officer. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

### **Data Protection Officer**

We have appointed a Data Protection Officer to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the Data Protection Officer at:

Imperial College London  
Data Protection Officer  
Exhibition Road  
Faculty Building Level 4  
London SW7 2AZ

e-mail: [dpo@imperial.ac.uk](mailto:dpo@imperial.ac.uk)

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.

### **Changes to this privacy notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.