

Data Protection Privacy Notice: Referees

Introduction

The University of Strathclyde is committed to transparency and to complying with its responsibilities under data protection legislation. This privacy notice sets out important information regarding how we will use your information and your rights under the legislation.

Who will process my personal information?

Under data protection legislation the University is the 'data controller'. This means that the University is responsible for how it uses and processes your personal data and for complying with requests from you in relation to your personal data, where appropriate under the legislation.

How we use your information

We have set out below: how and why we will use your information; where we obtain your data; how we will use your information and who it is shared with. Please see Appendix 1.

For each type of processing we are required, under data protection legislation, to identify our 'lawful basis for processing'. We process your information because it is in the legitimate interests of the University to do so.

Please note, that this notice covers the provision of references for central University processes, e.g. student/job applications. If you engage with the University for other purposes, you may be provided with a more detailed privacy notice in relation to that process/service. This is to increase transparency and to ensure you understand how your information will be used. Any additional privacy notices supplement this central notice.

Your Rights

You have the right to:

- find out what personal data we process about you and obtain a copy of the data, free of charge within one month of your request. We may make a charge for additional copies of the same information;
- ask us to correct inaccurate or incomplete data; and
- withdraw consent to process your personal data at any time, if you were asked for and provided consent.

The place of useful learning

The University of Strathclyde is a charitable body, registered in Scotland, number SC015263



If you think we are acting unfairly or unlawfully you can:

- object to the way we are using your data; and
- complain to the [UK Information Commissioner's Office](#).

Under certain conditions you also have the right to ask us to:

restrict the use of your data e.g. if you have raised issues about the accuracy or use of your personal data, until we have investigated and responded to your concerns;

- erase your information or tell us to stop using it to make decisions about you;
- comply with your wishes where you have previously agreed to us processing your data for a particular purpose and have withdrawn your consent to further processing; and
- provide you with a portable electronic copy of data you've given us.

Please contact us if you wish to exercise/enquire about any of these rights.

Contact Details

Data Protection Officer
University of Strathclyde
Information Governance Unit
16 Richmond Street
Glasgow, G1 1XQ
Email: dataprotection@strath.ac.uk
Phone: 0141 548 3217

More information

To find out more about data protection and your rights please see:

- The Information Commissioner's Office website: <http://www.ico.org.uk>
- The University's Data Protection webpages <http://www.strath.ac.uk/dataprotection/>

APPENDIX 1

References for Job Applicants

If you are nominated as a professional, academic or personal referee, by an individual who is applying to a University job vacancy, we will process your personal data via the University's recruitment system. The information supplied by the applicant will typically include your name, address, job title (if appropriate), email address and phone number. Once submitted, this information will be stored electronically in the University's recruitment system for a period of 18 months following your last activity, at which point it will be anonymised. If the subject of your reference is successfully appointed, a copy of the reference you supplied will be stored in the employee's file for the appropriate retention period. Records for unsuccessful applicants and for those who do not accept the positions offered are managed in accordance with established retention periods. Please see the [University Staff Retention Schedule](#) for further information.

The information supplied to the University will be used to facilitate the application process and will not be used for any other purpose, nor shared with third parties. We may contact you if we have any queries regarding the information you have supplied, in respect of the application process.

Under data protection legislation an individual has a right to access their own personal data (via a Subject Access Request or SAR). The right of access can only be restricted in certain situations. One situation in which disclosure might be restricted is when the information is in the form of a confidential reference given for the purposes of education, training, employment, voluntary work, appointment to any office or provision of a service.

Where a reference was given 'in confidence' the University will not normally be legally required to release it. The University considers its application process and all information provided as part of that process as being confidential, including references. The University advises in its reference request emails that, by default, it considers references to be confidential. However, this exemption from disclosure to the data subject cannot be relied upon under all circumstances – and the University may take a decision in any event, that it is reasonable to disclose the reference.

Therefore, please bear in mind that the individual for whom you are supplying the reference may be able to access it, at some later point, under a Subject Access Request (SAR). The University cannot guarantee that a reference will never be disclosed as part of a SAR.

References for Student Applicants

If you are nominated as an academic or personal referee, by an individual who is applying to a study at the University, we will process your personal data as part the application process. The personal data supplied by the applicant will typically include your name, address, job title (if appropriate), email address and phone number.

If the applicant is successful, a copy of the reference you supplied is held for the relevant retention period. Records for unsuccessful applicants/those who do not accept a position are managed in accordance with established retention periods. Please see the [University Student Records Retention Schedule](#) for further information. The retention periods may vary between Departments.

The information you supply will be used by the University as part of the application process and will not be used for any other purpose or shared with third parties. We may contact you if we have any queries regarding the information you have supplied about the applicant.

Under data protection legislation an individual has a right to access their own personal data (Subject Access Request or SAR). The right of access can only be restricted in certain situations. One of these is when the information is in the form of a confidential reference given for the purposes of education, training, employment, voluntary work, appointment to any office or provision of a service.

Where a reference was given 'in confidence' the University will not be legally required to release it. Please note, the University considers its application process and all information provided as part of that process as being confidential, including references. However, this exemption from disclosure to the data subject cannot be relied upon in all circumstances – and the University may decide in any event that it is reasonable to disclose the reference.

Therefore, please bear in mind that the individual you are supplying the reference on behalf of may be able to access it under a Subject Access Request. The University cannot guarantee that a reference will never be disclosed as part of a SAR.