

# HESA Staff Collection Notice

Applicable to 2019/20 academic year

The Higher Education Statistics Agency Limited (HESA) is the body responsible for collecting and disseminating information about higher education in the UK and the Designated Data Body for England (see [www.hesa.ac.uk/about](http://www.hesa.ac.uk/about) for more information). HESA is a Controller of your information. HESA's wholly-owned subsidiary company HESA Services Limited acts as a Processor to do work on behalf of HESA and other organisations described in the notice below, but may also act as a Controller.

Reference to "your provider" refers to the higher education provider where you work. This notice relates to information about you which will be collected by your provider and passed to HESA and to other organisations as described below.

This notice sets out information about HESA and other controllers of your data, how and why they process your data, the legal bases for this processing, and your rights under data protection legislation. This notice is regularly reviewed and sometimes updated, for example when organisations change their name, or to clarify how your information is used. Updates may be made at any time and you will always find the most up to date version at [www.hesa.ac.uk/fpn](http://www.hesa.ac.uk/fpn).

## Submission of your information to HESA

Data about you will be supplied to HESA for the purposes set out below. This data does not include your name (except in the limited case of purpose 6, see below) and is not intended to be used to make decisions about you. All information is used in compliance with data protection legislation.

Every year your provider will send some of the information it holds about you to HESA ("your HESA information"). HESA is the official source of data about UK universities, higher education colleges, alternative HE providers, and recognised higher education courses taught at further education institutions in Wales. HESA is a registered charity and operates on a not-for-profit basis.

Your HESA information does not contain your name or contact details, but may contain your Open Researcher and Contributor ID ([ORCID.org](http://ORCID.org)) number if you have one

Your HESA information is used for a variety of purposes by HESA and by third parties as described below. HESA may charge other organisations to whom it provides services and data. Uses of your HESA information may include linking parts of it to other information, as described below. Some information provided to HESA is retained indefinitely for statistical research purposes. Your HESA information will not be used to make automated decisions about you. The extent to which your information will be used for purposes 3-4 will vary.

All uses of HESA information must comply with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

## Categories of information submitted to HESA, including special categories of data

HESA collects data about the personal characteristics of staff and governors at higher education providers and information about their jobs and contracts. This might include sensitive details about staff members' and governors' personal lives used for equality and diversity monitoring.

Data submitted to HESA by your provider includes details about your employment contract, the work that you do and your salary. It also includes personal details about you such as your date of birth and your nationality.

Information about your health, ethnicity, sexual orientation, gender reassignment or religion is classed as 'Special categories of data' under the GDPR. If your Provider discloses this information to HESA it will be included in your HESA information. This information is necessary for monitoring equality of opportunity and eliminating unlawful discrimination in accordance with the Equality Act 2010 and Section 75 of the Northern Ireland Act 1998. This information will also be processed for statistics and statistical research where this is necessary and in the public interest.

A full list of data items that may be included in your HESA information for the 2018/19 academic year will be available from October 2019 here: [www.hesa.ac.uk/collection/c19025/](http://www.hesa.ac.uk/collection/c19025/). Please note that not all data items are collected for all staff – the exact set of variables relating to you will depend on your role and contract.

### **Purpose 1 – Individual level data used for public functions by the HE funding and regulatory bodies**

Your HESA information is used by HE funding and regulatory bodies (who request HESA to collect it) for their statutory and/or public functions including funding, regulation and policy-making purposes. Your information will not be used to make decisions about you.

HESA shares your HESA information with the HE funding and regulatory body(s) who require it to carry out their statutory and/or public functions. This data sharing is carried out in the public interest or in the exercise of official authority vested in HESA and the public authorities. The HE funding and regulatory bodies are:

- England - [Office for Students](#) (who take into account what would be helpful to collect for sharing with UK Research and Innovation and the Secretary of State)
- Wales - [Higher Education Funding Council for Wales](#)
- Scotland - [Scottish Further and Higher Education Funding Council](#)
- Northern Ireland - [Department for the Economy](#)

Your HESA information will be shared with these organisations as part of a large dataset which contains similar information about other people who work at higher education providers in the UK. These organisations are also Controllers of your HESA information. This means that they make their own decisions about how to use it, and this may include publishing statistics and sharing the information with third parties, such as other government or public bodies or other organisations of the type listed elsewhere in this collection notice. However, all uses that they make of your HESA information will be within the purposes set out in this collection notice and covered by data sharing agreements with HESA.

These organisations will not use the data for the purposes of identifying you as an individual or to make decisions about you. These organisations may retain HESA information indefinitely for statistical and research purposes.

### **Non-academic staff at English Registered Providers**

If you are a non-academic staff member at an English Registered Provider regulated by the Office for Students then the submission of your HESA information by your provider to HESA is not required by the Office for Students and will be submitted by your provider on a voluntary basis in order to assist your provider in meeting its statutory reporting obligations (e.g. equality and diversity reporting, responding to FOIs) and for other legitimate interests such as benchmarking or internal reporting. If it is submitted on a voluntary basis then it may also be used for purposes 2 to 4.

### **Legal basis for processing your information for Purpose 1**

Legal basis for processing your information for Purpose 1 – these cover use of personal data by both HESA and the HE funding and regulatory bodies data controllers:

Processing of your HESA information for Purpose 1 is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller (see GDPR Article 6(1)(e)) and for statistical and research purposes (see GDPR Article 89).

Processing may also be necessary for compliance with a legal obligation to which the controller may be subject (see GDPR Article 6(1)(c)).

Processing may also be necessary for the purposes of the legitimate interests of HESA in disseminating higher education information, or the legitimate interests of third parties in undertaking research in the field of higher education (See GDPR Article 6(1)(f)).

Processing of Special Categories of data is necessary for statistical and research purposes in accordance with GDPR Article 89(1) in accordance with the duties in the Equality Act 2010, Section 75 of the Northern Ireland Act 1998, the Digital Economy Act 2017 or equivalent subsequent legislation, or for other research purposes falling within GDPR Article 9(2)(j).

Processing of Special Categories of data may also be necessary for reasons of substantial public interest in accordance with the Equality Act 2010 or equivalent subsequent legislation (see GDPR Article 9(2)(g)).

### **Purpose 2 – Individual level data used for public functions by public authorities**

HESA acts as an information hub to provide data and statistics on higher education. While the bodies described in Purpose 1 (above) have legal or regulatory power to require information from certain HE providers, other public authorities also use your HESA information for their statutory and/or public functions including funding, regulation and policy-making purposes.

### **Education statistics and data**

HESA also acts as an information hub to provide information on higher education. In England this is undertaken outside of HESA's Designated Data Body activities. HESA shares your HESA information with public authorities who require it to carry out their statutory and/or public functions. This data sharing is carried out in the public interest or in the exercise of official authority vested in HESA and the public authorities. Your HESA information will be shared with these organisations as part of a large dataset which contains similar information about other people who work at higher education providers in the UK.

These organisations are also controllers of your HESA information. This means that they make their own decisions about how to use it, and this may include publishing statistics and sharing the information with third parties, such as other government or public bodies or other organisations of the type listed elsewhere in this collection notice. However, all uses that they make of your HESA information will be within the purposes set out in this collection notice and covered by data sharing agreements with HESA. These organisations will not use the data for the purposes of identifying you as an individual or to take decisions about you. These organisations may retain HESA information indefinitely for statistical and research purposes, or for fixed terms depending on the terms of their data sharing agreements with HESA.

The HE funding and regulatory bodies (in respect of information not collected under their relevant power – for example the Office for Students have power to collect information from English providers, but also need information from providers in other parts of the UK) are:

- [Office for Students](#)
- [Higher Education Funding Council for Wales](#)
- [Scottish Further and Higher Education Funding Council](#)
- [Department for the Economy](#)

Education departments in England and the devolved administrations:

- [Department for Education](#)
- [Welsh Government](#)
- [Scottish Government](#)

Other bodies with public functions connected to education:

- [Department for Business, Energy and Industrial Strategy](#)
- [UK Research and Innovation](#) (UKRI)
- National Health Service bodies and organisations working with them e.g. [Health Education England](#)
- [Medical Schools Council](#)
- [Quality Assurance Agency for Higher Education](#)

and any successor bodies. Further controllers may be added to the list from time to time – please see the online version of this notice at [www.hesa.ac.uk/fpn](http://www.hesa.ac.uk/fpn).

Your HESA information may also be used by other controllers who carry out statistical and research tasks in the public interest or in the exercise of official authority that are not connected with education such as monitoring of public expenditure by the National Audit Office.

UKRI will link information about academic staff to [Research Excellence Framework](#) submissions in order to monitor equal opportunities in relation to that exercise.

### **Other uses of data**

Your HESA information may also be used by some organisations who are also controllers who carry out statistical and research tasks in the public interest or in the exercise of official authority that are not connected with education. Such uses may include the following:

- Production of statistics in relation to the population of the UK and for statistical research, undertaken by the Office for National Statistics. Further information can be found on the [ONS website](#).
- Production of statistics and statistical research undertaken by [National Records of Scotland](#) and the [Northern Ireland Statistics and Research Agency](#).
- Monitoring of public expenditure by the [National Audit Office](#)

The above list of organisations who may receive your HESA information will be subject to change over time. For example, HESA is seeking to reduce the burden on higher education providers by encouraging other organisations who currently collect information directly from higher education providers to collect and receive information through HESA. The above list will be updated on the HESA website at [www.hesa.ac.uk/fpn](http://www.hesa.ac.uk/fpn) from time to time, and you will need to monitor this link yourself if you wish to be aware of changes.

### **Legal basis for processing your information for Purpose 2**

Processing of your HESA information for Purpose 2 is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller (See GDPR Article 6(1)(e)) and for statistical and research purposes (See GDPR Article 89).

Processing of Special Categories of data is necessary for statistical and research purposes in accordance with GDPR Article 89(1) in accordance with the duties in the Equality Act 2010, Section 75 of the Northern Ireland Act 1998, the Digital Economy Act 2017 or equivalent subsequent legislation, or for other research purposes falling within GDPR Article 9(2)(j).

Processing of Special Categories of data may also be necessary for reasons of substantial public interest in accordance with the Equality Act 2010 or equivalent subsequent legislation (see GDPR Article 9(2)(g)).

### **Purpose 3 - HESA publications**

HESA publishes statistics about staff in higher education.

Part of HESA's role is to produce and publish information about higher education in the public interest. This includes some National Statistics publications ([www.statisticsauthority.gov.uk/national-statistician/types-of-official-statistics](http://www.statisticsauthority.gov.uk/national-statistician/types-of-official-statistics)) and online business intelligence and research services.

When producing this material for publication, HESA applies its disclosure control, the [HESA Standard Rounding Methodology](#), to ensure that no Personal Data is included and that individuals cannot be identified from published material.

Processing within this Purpose 3 may also be carried out by HESA Services Limited, HESA's wholly-owned subsidiary company.

### **Legal basis for processing your information for Purpose 3**

Processing of your HESA information for Purpose 3 is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller (See GDPR Article 6(1)(e)) and for statistical and research purposes (See GDPR Article 89).

Processing of Special Categories of personal data is necessary for statistical and research purposes in accordance with Article 89(1) based on the Equality Act 2010 (See GDPR Article 9(2)(j))

### **Purpose 4 - Equal opportunity, research, journalism and other processing for statistical and research purposes**

HESA information is used for research into higher education and the staff population. This research can be academic, commercial, journalistic or for personal reasons. HESA prohibits the identification of individual staff members by those carrying out this research.

HESA and the other controllers (see Purposes 1 & 2) may also supply information to third parties where there is a legitimate interest in doing so for statistical and research purposes. Examples of use for this purpose include:

- Provision of information to students and prospective students
- Equal opportunities monitoring
- Research - This may be academic research, commercial research or other statistical research where this is in the public interest
- Journalism - Where the relevant publication would be in the public interest e.g. league tables

Users to whom information may be supplied for Purpose 4 include:

- Higher education sector bodies

- Higher education providers
- Academic researchers and students
- Commercial organisations
- Unions
- Non-governmental organisations and charities
- Local, regional and national government bodies
- Journalists

Information supplied by HESA to third parties within Purpose 4 is supplied under contracts which require that individuals shall not be identified from the supplied information and this means that they also cannot use it to take decisions about you. A copy of HESA's current agreement for the supply of information is available at [www.hesa.ac.uk/services/custom/data/timescales-costs](http://www.hesa.ac.uk/services/custom/data/timescales-costs). Each agreement specifies the duration for which data may be processed. This is usually one year but may be longer if necessary for the specific research purpose. Each request for HESA information under Purpose 4 is assessed for its compliance with data protection legislation and its compatibility with this Collection Notice. HESA ensures that only the minimum amount of HESA information necessary for the specified research purpose is supplied to users. If the supplied information is to be published [HESA's Rounding Methodology](#) or an equivalent disclosure control must be applied to ensure that individuals cannot be identified from the published material and it does not constitute Personal Data.

Other controllers (listed under Purposes 1 & 2 above) may also process data for this purpose where this is necessary to fulfil their public functions.

#### **Legal basis for processing your information for Purpose 4**

Processing of your HESA information for Purpose 4 is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller (See GDPR Article 6(1)(e)).

Processing may also be necessary for the purposes of the legitimate interests of HESA in disseminating higher education information, or the legitimate interests of third parties in undertaking research in the field of higher education (See GDPR Article 6(1)(f)).

In either case processing of your HESA information is necessary for statistical and research purposes in accordance with GDPR Article 89(1).

Processing of Special Categories of personal data is necessary for statistical and research purposes in accordance with Article 89(1) based on the duties in the Equality Act 2010 and Section 75 of the Northern Ireland Act 1998 (See GDPR Article 9(2)(j))

#### **Purpose 5 - Clinical academic staff and health professionals only**

If you work in a clinical or health-related role or department the Medical Schools Council may use your HESA information for additional purposes.

The [Medical Schools Council](#) (MSC) and [Universities UK](#) through the activities of its Dental Schools Council (DSC) use HESA staff data for the purposes of:

- Monitoring trends in clinical academic staffing as a basis for partnership between the NHS and universities.
- Promoting, maintaining and improving high quality education, research and clinical practice in the UK.
- Publishing results of research into clinical academic staffing at a detailed statistical level from which there may be a risk of identification of individuals through combinations of characteristics.

The MSC and DSC retain each year's detailed data for one year from receipt of data from HESA. Research results are held indefinitely for statistical and research purposes.

#### **Legal basis for processing your information for Purpose 5**

Processing of your HESA information for Purpose 5 is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller (See GDPR Article 6(1)(e)) and for statistical and research purposes (See GDPR Article 89).

Processing of Special Categories of data is necessary for statistical and research purposes in accordance with Article 89(1) based on the duties in the Equality Act 2010 and Section 75 of the Northern Ireland Act 1998 (See GDPR Article 9(2)(j))

## **Purpose 6 - Senior staff pay and compensation for loss of office**

If your salary exceeds £100,000 pa, or if you receive compensation for loss of office, information about your salary or compensation payments may be published by HESA and the funding and regulatory bodies listed in Purpose 1.

Accounts directions from the [Office for Students](#), the [Higher Education Funding Council for Wales](#), the [Scottish Funding Council](#) and the Department for the Economy (NI) require HE providers to publish the following details as part of their annual statements:

- Head of Provider name, salary and benefits,
- Numbers of staff paid over £100,000 per annum,
- The number of staff paid compensation for loss of office ('severance pay').

This information is also collected by HESA in the HESA Finance record for HE providers in Wales, Scotland and Northern Ireland. For HE providers in England this information is collected by the Office for Students and shared with HESA who may use this information for all the purposes described in this notice.

HESA publishes this information alongside other financial information about HE providers as open data. The published data includes counts of staff which are not rounded or suppressed.

Data about heads of providers is personal data, and where other numbers are small for a provider these may also reveal information about individuals.

## **Legal basis for processing financial information about staff pay, compensation and benefits for purpose 6.**

Processing of your HESA information for Purpose 6 is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller (See GDPR Article 6(1)(e)) and for statistical and research purposes (See GDPR Article 89).

## **Further information about recipients of your HESA information**

HESA is in the process of constructing a publishable register containing information relating to the recipients to whom we disclose data. Once live, the link to the register will be found in this section of the Collection Notice.

## **Your rights**

Data protection legislation gives you rights over your personal data. These include rights to know what information is processed about you and how it is processed. These rights have to be met by HESA and any other organisation which takes decisions about how or why your information is processed.

You have the right to be informed about how your personal data is used. This HESA Staff Collection Notice is regularly reviewed to ensure that it accurately describes how your HESA information is used. This notice may be updated from time to time, for example when new legislation is enacted, or when new policies are implemented by the public authorities listed under Purposes 1 & 2. The most up to date version can always be found at [www.hesa.ac.uk/fpn](http://www.hesa.ac.uk/fpn).

For further information about data protection, including contact details for HESA and HESA Services' Data Protection Officer please see [www.hesa.ac.uk/dataprot](http://www.hesa.ac.uk/dataprot). If you have questions about how your HESA information is used, please contact [data.protection@hesa.ac.uk](mailto:data.protection@hesa.ac.uk).

Under the GDPR you have the right of access to your personal information and rights to rectify inaccurate information; restrict processing; and object to processing. These rights are limited in certain circumstances by the GDPR and the Data Protection Act 2018 where data is only processed for research or statistical purposes. If you think there is a problem with the way HESA is handling your data, you have the right to complain to the Information Commissioner's Office: [ico.org.uk/](http://ico.org.uk/).

## **Data transfers to other countries**

Your HESA information may be transferred to countries outside the European Union for the purposes described above.

Your HESA information will only be transferred to countries whose data protection laws have been assessed as adequate by the European Commission, or where adequate safeguards, such as the EU-US Privacy Shield, are in place to protect your HESA information. European Commission decisions on the adequacy of the protection of personal data in third countries are published here: [ec.europa.eu/justice/data-protection/international-transfers/adequacy/index\\_en.htm](https://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm)