**HELOA National Conference – GDPR session reporter notes**

*Q&A Panel session*

**Q. How are you dealing with GDPR collection for pre-16s?**

A. We’re being super cautious – asking for opt in. We’re not assuming legitimate interest for anything. Possibly over cautious

**Q. How are you making sure you’re covered for collecting data from pre-16?**

A. By being totally open about how we’re using the data

A. Airing on the side of caution. Tickbox on all forms that asks if they are under 16 and only collecting if they’re old enough

A. Have an agreement with schools for permissions for collecting data

A. Collect under public task so don’t need consent – purely for widening access

A. Require parental consent – on online forms when put in DOB it will trigger something that says parental consent is required

Example – lego website is good example of collecting children’s data

Comment – even though parental consent is needed the parent isn’t allowed to access that data at any point – only the data subject is

Right now everyone is still experimenting and not 1 university has it exactly right yet.

**Q. Use of photography at large scale events that includes minors. Do you get consent?**

A. We don’t take identifiable photos (backs of heads etc)

A. We stage everything – nothing is live

A. Photos are always carefully crafted

A. Backs of heads are totally fine. Simple rule of thumb – are you at risk of endangering the individual by using their photo

A. Disclaimer on Open Day booking form – using legitimate interest

A. Have photo permission forms with us when taking photos

A. Use a teddy bear in photos to show where we are, rather than students

A. Parental consent before event, or backs of heads

**Q. I’ve heard of a university not contacting offer holders without opt in which seems extreme – are others doing this?**

A. No – legitimate interest for applicants

A. Applicants are forming a contract with you

ICO requires every university to have a data protection officer – often people thrown into their roles

A. You should be able to contact applicants but you need consent to process data and consent to contact via specific channels for prospective students. However looking at the entire recruitment cycle it’s not appropriate to shut off a whole channel as a method of communication – you should ask prospects to opt in to topics they may be interested in, rather than channels

**Q. What legal bases and retention period to you have for teachers?**

A. A particular privacy notice for people who work in schools and review it every year.

A. Assume consent – it’s up to interpretation

A. Challenge with departments having their own lists – working groups to get compliance, but we haven’t cracked it yet!

A. Retention period should be different for different types of data. Need a perpetual refresher of the period so it’s x years after the most recent interaction

**Q. The use of external event registration sites such as Eventbrite – how compliant is this?**

A. Can do anything as long as you’re telling people what you’re doing – show people Eventbrite’s data policy and tell them what you’re doing. You need to be upfront about it.

A. Eventbrite has changed and is now GDPR compliant

**Q. Do any colleagues now have issues with using student ambassadors to contact applications as part of the conversion process after GDPR? (i.e. being comfortable with giving names and telephone numbers for ring-round activities)**

A. We use ambassadors to phone applicants but they can’t take the data out of the system

**Q. Is anyone using ambassadors to input data?**

A. Yes, but they’ve had the training. Only employ trustworthy ambassadors.

A. Inserted a line into the ambassador code of conduct

**Q. What can be justified as legitimate interest?**

A. At a HELOA regional meeting half the room assumed one thing and the other half assumed something else so it’s difficult to get a consensus

A. If you can justify it you should be OK

A. UCAS are using legitimate interest yet they’re sending loads of advertising

**Q. Data capture at UCAS fairs. Most opted into email but no other channels. What are others doing?**

A. Much rather have fewer better quality leads

A. More open to giving the data with the scanners

A. Have a conversation with the student

A. Liked UK Uni Search approach – by writing down their number the students felt it was more definite