

NCUB PRIVACY POLICY – KNOWLEDGE ENGINE CONCORDAT

Last revised: 24 March 2020

INTRODUCTION

This is the privacy policy of the **Council for Industry and Higher Education**, trading as the National Centre for Universities and Business ("**NCUB**"), a company registered in England and Wales with company number 3465914 of Studio 11 Tiger House, Burton Street, London WC1H 9BY. It applies to the website www.keconcordat.ac.uk (the "**Site**") owned and controlled by NCUB.

NCUB respects your privacy and is committed to protecting your personal data. This privacy policy will inform you as to how we look after your personal data when you visit the Site (regardless of where you visit it from), or that we collect from you and will inform you about your privacy rights and how the law protects you.

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1. IMPORTANT INFORMATION AND WHO WE ARE

PURPOSE OF THIS PRIVACY POLICY

This privacy policy provides information to you on how NCUB collects and processes your personal data through your use of the Site, including any data you may provide through the Site when you make contact with the Site.

This Site is not intended for children and we do not knowingly collect data relating to children.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements other notices and privacy policies and is not intended to override them.

CONTROLLER

The Council for Industry and Higher Education, trading as the National Centre for Universities and Business is the controller and responsible for your personal data (collectively referred to as “NCUB”, “we”, “us” or “our” in this privacy policy).

NCUB works closely with UK Research and Innovation (UKRI), a separate legal entity, however because we share your personal data with UKRI as part of their involvement with our work and the Site, this privacy policy is also issued on its behalf and when we mention “NCUB”, “we”, “us” or “our” in this privacy policy, we also refer to UKRI as responsible for processing your data.

The Council for Industry and Higher Education, trading as the National Centre for Universities and Business is the controller and responsible for the Site.

We have appointed a data privacy manager who is responsible for managing any questions raised in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact the data privacy manager using the details set out below.

CONTACT DETAILS

For any questions about this privacy policy or our privacy practices, please contact our data privacy manager as set out below:

Email address: keconcordat-support@ncub.co.uk

For the attention of:
Support Team - Knowledge Exchange Concordat
The National Centre for Universities and Business
Studio 10, Tiger House,
Burton Street,
London, WC1H 9BY

Telephone number: 020 7383 7667

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 (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

CHANGES TO THE PRIVACY POLICY AND YOUR DUTY TO INFORM US OF CHANGES

We keep our privacy policy under regular review. This version was last updated on the date set out at the top of this privacy policy. Historic versions can be obtained by contacting us.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

We will notify you of any modified versions of this privacy policy that might materially affect our use of your personal data; and always if there is a change in the purposes for which we process your personal data, a change in identity of the data controller or a change in how you can exercise your rights.

THIRD-PARTY LINKS

The Site may include links to websites provided by third parties, or third party plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave the Site, we encourage you to read the privacy policy of every website you visit.

In addition, we may use pixels or transparent GIF files, to help manage online advertising. Any information that we collect and share through such means is anonymous; 'anonymous data', being data where the identity has been removed.

2. THE DATA WE COLLECT ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include 'anonymous data', being data where the identity has been removed.

We may collect, use, store and transfer different kinds of personal data about you which we have listed in the following categories of personal data as follows:

- **Identity Data** includes first name and last name.
- **Contact and Communications Data** includes email address and telephone number.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access the Site.
- **Usage Data** includes information about how you use the Site and its services.

We also collect, use and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users of the Site accessing a specific feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

IF YOU FAIL TO PROVIDE PERSONAL DATA

Where we need to collect personal data by law, or under the terms of a contract we have with you, and

you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with services). In this case, we may have to cancel the availability of a service to you, but we will notify you if this is the case at the time.

3. HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect data from and about you including through:

- Direct interactions with the Site: through your use of the Site, by completing a form or by communication with us by post, phone, email or otherwise, you may give us **Identity and Contact and Communications Data**. This includes personal data you provide when you give us feedback or contact us.
- Third parties or publicly available sources: **Technical Data** from analytics providers such as Google based outside the EU. **Contact and Communications Data** from providers of technical services to us, such as Teamwork Desk (a support services ticket communications provider) based inside the EU.
- Automated technologies or interactions: As you browse and interact with the Site, we will automatically collect **Technical Data** about your chosen devices, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our cookie policy [HERE](#) for further details.

4. HOW WE USE YOUR PERSONAL DATA

We will only use your personal data as permitted by law. Most commonly, we will use your personal data in the following circumstances:

- Where we need to **perform the contract** we are about to enter into or have entered into with you.
- 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.
- Where we need to **comply with a legal obligation**.

Each such circumstance is known as a “**lawful basis**” for processing personal data and these three circumstances are explained more fully as follows:

- A. Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.
- B. Legitimate Interests** means the interests of NCUB in operating and managing the Site to provide the best services and secure experience and to enable us to fulfil its purpose of the advancement of knowledge exchange in higher education and academic research. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

C. Comply with a legal obligation means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

Generally, we do not rely on consent as a legal basis for processing your personal data. We will however seek your consent in specific cases, and in any event before sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

The Table below describes how we use your personal data, and which legal basis we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful basis depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific lawful basis we are relying on to process your personal data where more than one basis has been set out in the table below.

TABLE

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
<p>To communicate with you and manage our relationship with you which will include:</p> <ul style="list-style-type: none"> (a) Communicating with you where appropriate or at your request (b) Notifying you about changes to our terms or privacy policy (c) enabling you to participate in a survey 	<ul style="list-style-type: none"> (a) Identity (b) Contact and Communications (c) Usage 	<ul style="list-style-type: none"> (a) Performance of a contract with you (b) Necessary for our legitimate interests (to identify and understand how users benefit from our services, to develop them and to facilitate the provision of those services) (c) Necessary to comply with a legal obligation
<p>To administer and protect NCUB’s business and the Site; including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data</p>	<ul style="list-style-type: none"> (a) Identity (b) Contact and Communications (c) Technical 	<ul style="list-style-type: none"> (a) Necessary for our legitimate interests (for operating the Site and our business, developing and keeping the Site’s contents updated and relevant, to inform our communications strategy, for provision of administration and IT services, network security, to prevent misuse and fraud, and in the context of a business reorganisation or restructuring exercise) (b) Necessary to comply with a legal obligation

PROFILING & AUTOMATED DECISION MAKING

Profiling: means “any form of automated processing of personal data to evaluate certain things about an individual”: **Automated decision making:** means “making a decision solely by automated means without any person being involved” (and can involve profiling). We do not carry out profiling and automated decision making.

MARKETING

We will always enable you to exercise choices regarding certain personal data uses, particularly around marketing and advertising and deploy the following mechanisms:

PROMOTIONAL OFFERS FROM US

We may use your Identity, Contact and Communications and Technical Data to form a view on what we think you may be looking for or need, or what may be of interest to you. This is how we decide whether certain services we offer may be relevant for you. Our presentation of these to you is referred to as “marketing”. You will receive marketing communications from us if you have requested information from us, or have received specific services from us, and you have not opted out of receiving that marketing.

THIRD-PARTY MARKETING

We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

OPTING OUT

You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of specific requests for or acceptance of specific services from us, or a transaction that has taken place between you and the Site or your experience of a service or product made available by us.

COOKIES

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, do note that some parts of the Site may become inaccessible or not function properly. For more information about the cookies we use, please see our [Cookie Policy](#).

CHANGE OF PURPOSE

We will only use your personal data 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 you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data 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 data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5. DISCLOSURES OF YOUR PERSONAL DATA

We may share your personal data with the parties set out below for the purposes set out in the Table above (under the section 4 heading, *PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA*).

EXTERNAL THIRD PARTIES

- UK Research and Innovation (UKRI) details of which can be found at <https://www.ukri.org/> who provide us with management analysis, planning and decision making services.
- Service providers acting as processors (such as Vision 360 (UK) Limited) based in the United Kingdom or outside the EEA who provide technology and system administration services.
- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the UK who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the UK who require reporting of processing activities in certain circumstances.
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

The following **specific third parties**:

Identity	The services provided	How we use the services and examples of personal data used	Location of processing
<i>MailChimp (The Rocket Science Group, LLC.)</i>	<i>An email address management and message sending service</i>	<i>Email communications and marketing management, email design and unsubscribe functionality – includes Contact and Communications Data for example</i>	<i>U.S.</i>

<i>Google Analytics (Google Inc.)</i>	<i>A web-use analysis service</i>	<i>User numbers and behaviour tracking across use of the Site's services; gathering insight for decision making (includes Technical Data for example)</i>	<i>U.S.</i>
<i>MailGun</i>	<i>An managed email delivery service</i>	<i>We use these services to deliver system notifications via email to registered users of the site.</i>	<i>Such services may operate through geographically distributed servers, so the actual location where the personal data are stored may include countries outside the EEA; including the U.S.</i>
<i>WP Engine Inc</i>	<i>Data hosting and backend management services</i>	<i>We use these services to host/store the Site and its data and files that enable the Site to operate, be made available to you and to provide its technical infrastructure</i>	<i>Such services may operate through geographically distributed servers, so the actual location where the personal data are stored may include countries outside the EEA; including the U.S.</i>
<i>Teamwork Desk</i>	<i>A support services and ticket management software provider</i>	<i>We use these services to manage email and other support and end user enquiries</i>	<i>Ireland (although such services may operate through geographically distributed servers, so the actual location where the Personal Data are stored may include countries outside the EEA; including the U.S.)</i>

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. INTERNATIONAL TRANSFERS

Many of our external third parties are based outside the EEA so their processing of your personal data will involve a transfer of data outside the EEA.

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see – *European Commission: Adequacy of the protection of personal data in non-EU countries* at https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see *European Commission: Model Contracts for the transfer of personal data to third countries* at https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/model-contracts-transfer-personal-data-third-countries_en
- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US. For further details, see *European Commission: EU-US Privacy Shield* at https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/eu-us-privacy-shield_en

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

7. DATA SECURITY

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

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

8. DATA RETENTION

HOW LONG WILL YOU USE MY PERSONAL DATA FOR?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you. We may also keep your personal data for a longer period where processing only for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes and in accordance with the storage limitation principle under applicable law.

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, regulatory, tax, accounting or other requirements.

In some circumstances you can ask us to delete your data: see section 9 (*Your legal rights*) below for further information.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely

without further notice to you.

9. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

You have the right to:

Request access to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data 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 data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data 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 as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data’s accuracy.
- Where our use of the data is unlawful but you do not want us to erase it.
- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer (unless our processing is carried out on the basis of our *Legitimate Interests*) of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us at the details set out above in section 1.

NO FEE USUALLY REQUIRED

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these 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 your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

TIME LIMIT TO RESPOND

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.