



# MTU

Ollscoil Teicneolaíochta na Mumhan  
Munster Technological University

## **General Data Protection Regulation (GDPR) MTU Disability Support Service Student Data – Privacy Notice**

**Date: 26<sup>th</sup> August 2022**

[www.mtu.ie/policies](http://www.mtu.ie/policies)

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# Introduction

This privacy notice explains how the University's Disability Support Service (DSS) collects, uses, stores and shares student personal data, and student rights in relation to the personal data held. This privacy notice concerns the DSS processing of personal data of past, present and prospective students of the University. This relates to the capture of personal data received by the DSS for the provision of reasonable accommodations/supports, and the steps taken by the DSS to respect the privacy of individuals. This privacy statement should be read in conjunction with the University's Student Privacy Statement and Data Protection Policy.

MTU is the data controller for all personal data that it holds and processes and is subject to the Data Protection Acts 1998 to 2018 and to the General Data Protection Regulation (GDPR).

Students are encouraged to disclose information on their disability, specific learning difference, and/or significant ongoing health condition to the DSS before they apply to MTU or at any point during their studies. Such disclosure is encouraged so that the DSS can work with the student in ensuring that any reasonable accommodation required is identified and facilitated in consultation with the student as outlined in the MTU Reasonable Accommodation Policy.

## Types of Information Collected

The DSS may collect, obtain, hold, store and process personal data which may include but is not limited to the following:

- Personal details; name, contact information (address, email address, telephone numbers), date of birth, nationality, residency and country of domicile
- Information relating to education, progression, employment and training records including supports received
- Information relating to family, social and economic circumstances
- Sensitive personal data and special category data including physical or mental health, racial or ethnic origin and
- A record of student engagement with the DSS.

Where information may be used for statistical and monitoring purposes it will be anonymised which means the student's identity will not be revealed.

# How the DSS Collects Information

Personal data and sensitive personal data/special category data held by the DSS relating to students is obtained directly from the student or applicant. In some cases, this data is obtained from a third-party organisation that has gathered the information in the first instance (for example CAO and SOLAS).

Personal data may be submitted/disclosed by the student, or on their behalf, to the DSS.

This may be collected, in the following ways (this is not an exclusive list):

- Directly from information provided by prospective students and/or through the application or registration processes
- Documentation submitted through CAO/DARE Admissions route
- Information disclosed to the DSS
- Evidence of disability documentation submitted to the DSS or
- Information disclosed in emails and correspondence received by the DSS.

## Purpose of Collecting Information

The DSS holds the personal data and sensitive personal data/special category data of its students in order to implement and manage all services and processes relating to students. Personal data is collected and viewed by the DSS to assess whether it is appropriate to provide reasonable accommodation for the student and, if so, to inform the nature of the reasonable accommodation. Only information required for these purposes is processed, and without it the DSS may not be able to provide its services.

Information collected may be used for the following purposes:

- To facilitate the provision of reasonable accommodation and other supports
- To allow access to specific facilities/rooms in the University
- To apply for and report on the Fund for Students with Disabilities (FSD) and other funding bodies and/or
- To inform anonymised statistical reporting.

## Basis for Processing Information

The legal basis for collecting personal data is to comply with the University duties under the EU General Data Protection Regulation (GDPR), the Disability Acts 2005, Equal Status Act 2000 (as amended), the Employment Equality Act 1998 (as amended) and the Data Protection Acts 1988- 2018.

The University will ensure that personal data is processed fairly and lawfully in keeping with the principles of data protection.

For the purposes outlined in this privacy notice, personal data will be processed on the basis of the student's informed consent.

The DSS may also process personal data where it is necessary to protect a student's or another person's vital interests.

A student may withdraw their consent to disclose all or any part of their information at any time. To withdraw consent, the University requires the student to advise the DSS or the Data Protection Officer, in writing, that they are withdrawing their consent.

## Sharing Information

Students who engage with the DSS are made aware of how the service will store and share information relating to their disability/learning difference/significant health condition.

Specific information required for the purposes of the provision of reasonable accommodation and other agreed supports is shared by the DSS with relevant sections of the University and external services, where required.

Consent to the sharing of the required specific information is sought from the student and stored securely by the DSS.

Information agreed with the student **may be** shared with the following for the purposes outlined below:

Third Party	Reasonable Accommodation /Supports
• Examinations Office / Examinations Staff	Examination supports
• Faculty, School and Department Staff	Academic Department support
• HEA (Higher Education Authority), European Social Fund (ESF) and the Management Authority for eCohesion. • MTU Finance Office and Funding Committees • MTU Information Management Systems and MTU Computer Services	Fund for Students with Disabilities (FSD)/ Funding for reasonable accommodation and disability related supports
• MTU Support Staff • MTU IT/Computer Services • MTU Cork Card Office • External Assistive Technology licence and training providers	Assistive Technology provision and training
• MTU Transitions and Learning Support Staff • External Service Providers • MTU Tutor Panel	DSS Learning/ Transitions Support
• MTU Work Placement Co-ordinators • MTU Careers Service • External Service Providers	Work placement support

• MTU Buildings and Estates	Personal Emergency Evacuation Plan (PEEP)
<ul style="list-style-type: none"> <li>• MTU Buildings and Estates</li> <li>• MTU Student Services</li> <li>• MTU IT/Computer Services</li> <li>• Academic departments</li> <li>• External transport providers</li> </ul>	Access to the physical environment, e.g. lecture rooms, labs, catering facilities, lifts, parking, transport and lockers.
<ul style="list-style-type: none"> <li>• External Service Providers</li> <li>• Academic Departments</li> </ul>	Academic Personal assistants / Mobility training / ISL interpreters/ Notetaking/ Speed text Support, Tutors
<ul style="list-style-type: none"> <li>• External Professionals, e.g. GP; educational psychologist; community mental health team or other relevant support; disability support organisations</li> </ul>	Specific reasonable accommodations and additional supports where required and in agreement with the student
<ul style="list-style-type: none"> <li>• Family members/ guardians/advocates</li> </ul>	Support for student around their reasonable accommodations where appropriate in agreement with the student
<ul style="list-style-type: none"> <li>• Student Support Services</li> </ul>	Reasonable accommodation and reporting requirements

This is not an exhaustive list and all disclosures to third parties are made only where there is legitimate reason to do so, with the student's consent and in accordance with the law. The University may, in exceptional circumstances, be required to share some information about a student with third parties without consent (see the MTU Reasonable Accommodation Policy (Student)). When the DSS shares student data with third parties, the DSS will endeavour only to share the data that is needed, that the data is only processed according to specific instructions and that the same standards of confidentiality and security are maintained.

## Individual Rights

Individuals whose personal data and sensitive personal data/special category data is held by the DSS have the following rights regarding their data:

- The right to be informed
- The right to request access to their personal data held by the DSS.
- The right to rectification – to have inaccurate or incomplete personal data rectified.
- The right to erasure of personal data - The student has the right to have personal data deleted where the University no longer has any justification for retaining it, subject to exemptions such as the use of pseudonymised data for scientific research.

- The right to restrict the processing of personal data – individuals have the right to block the processing of their personal data by the DSS (see the MTU Reasonable Accommodation Policy (Student)).
- The right to data portability – students have the right to be provided with some elements of their information upon request (for example needs assessment and/or relevant documents) in digital form.
- The right to object –The student has the right to object to certain types of processing of personal data.

If a student is unhappy with the DSS's handling of their personal data or believe that the requirements of the Data Protection Acts or GDPR may not be fully complied with, they should contact the Data Protection Officer in the first instance. The University's formal complaint procedure can be invoked if appropriate, and a student also has the right to submit a complaint to the Data Protection Commissioner.

## Data Retention

Any data the DSS collects from students will be stored confidentially and securely as required by University Policies. The University is committed to ensuring that processing of University-controlled data is performed in a secure manner.

In keeping with the data protection principles, the DSS will only store student data for as long as is necessary and in accordance with the University Records Retention Schedule.

Data related to the Fund for Students with Disabilities will be retained in accordance with the requirements of the Higher Education Authority and other funding bodies as appropriate.

The DSS stores student personal data primarily on the University premises and secure IT platforms within the European Economic Area ('EEA') which are also subject to European data protection requirements.

## Contact Details

If you have any queries about this privacy notice or how the DSS processes your personal data, you can contact the DSS or the MTU Data Protection Officers by email at [dssCork@mtu.ie](mailto:dssCork@mtu.ie); [supportservicesKerry@mtu.ie](mailto:supportservicesKerry@mtu.ie); [dataprotection@mtu.ie](mailto:dataprotection@mtu.ie).