

## **Student Privacy Statement**

Student Awards Agency Scotland (SAAS) is an Executive Agency of the Scottish Government giving financial support to eligible Scottish domiciled students undertaking a course of higher education. SAAS is the Controller for your personal information.

Students Awards Agency Scotland  
Saughton House  
Broomhouse Drive  
Edinburgh  
EH11 3UT

SAAS is committed to ensuring all personal information is collected and processed in accordance with data protection legislation which requires information to be:

- Processed fairly, lawfully and in a transparent manner
- Collected for specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary for the purpose of processing.
- Accurate and kept up to date
- Kept in a form which permits identification for no longer than necessary
- Processed in a manner that ensures appropriate security

SAAS recognises the importance of protecting the privacy. This privacy statement relates to the personal information we collect about you when you use our website and other services.

The privacy statement will be reviewed and updated at least once a year, and also if any changes are required from time to time. You should check this page occasionally to ensure you are happy with any changes that have been made. If we make any substantial changes we will notify you by posting a prominent announcement on our website, or through your SAAS Account.

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## Why we collect your information

We collect, hold and process information about you in order to meet our business functions:

- Provide financial support to learners in Scotland, including assessment and payment of bursaries and grants
- Process assessment of student loans.
- Appropriately managing public funds, including crime prevention, detection investigation, and reporting. Additionally, for the recovery of overpayments.
- Contributing to research and policy developments that support learners and the provision of learning support
- Statistical analysis
- Share Information with universities and colleges and other public bodies that allow SAAS to ensure the best outcomes for learners in Scotland.
- Share information for the purpose of crime prevention, detection, investigation and reporting with Police Scotland, HMRC, NFI, Fraud Prevention Agencies and other organisations.

We also need to collect, hold and process information about you in order to:

- Meet our statutory obligations including those relating to equality and diversity
- Process financial transactions related to services you receive such as grants and payments
- Investigate and respond to complaints and appeals
- Meet our obligation as a processor for the Student Loans Company
- the processing is necessary for the performance of a task carried out in the public interest; or
- in the exercise of official authority vested in SAAS;

Further information on the type of processing undertaken by SAAS and the lawful basis for processing (reason for processing) can be found in the [SAAS Register of Processing](#).

SAAS understands that our application process requires you to provide a significant amount of personal information. We use the information you provide to assess your application for funding, and to allow us to fulfil our business purposes.

This includes collecting information regarding your student loan on behalf of the Student Loans Company. They are the controller of this information and process this based on their own conditions of processing. You can find more information on their [website](#).

## **What information do we collect about you?**

SAAS collects information in a variety of ways including paper and online forms, email, telephone, face to face meetings, social media and audio recordings.

The categories of personal data provided by you and collected by SAAS for the purpose of assessment are:

- Personal information: Name, name at birth (if different from name used), date of birth, relationship status, date of marriage or moved in with your partner, full postal address, email, home phone number, mobile number, income details, National insurance number
- Some sensitive personal data might be collated in certain circumstances (e.g. Disabled Students Allowance), which will include information about mental or physical health
- UK residency details such as: country of birth, nationality, residency, country you normally live in.
- Education details such as: Name of college or university, course title, dates of previous courses, qualification gained.
- Employment details such as: Name of employer, job title, dates of employment and town where employed and unemployment for the previous 3 years prior to the beginning of chosen your course
- Institution and course such as details of your chosen college or university and course.
- Bank details.
- Benefactor details: Name, address, national insurance number, relationship to applicant/student, employment details, details of income.
- Dependents' details: Name of dependant(s), children, date(s) of birth, relationship to you, income details, and expenses).

In some cases more detailed information will also be required:

- Disability details and support costs;
- Household income information (Benefactors can provide information to a student to be added using the Student portal to provide earnings information but also have the option of submitting paper forms if preferred);
- Childcare costs.

Some sensitive personal data may be indicated or collected due to information collected as part of the application process. Documents provided as evidence, and indication of funding type (e.g. Disabled Students Allowance) may also indicate or state sensitive personal data. For example, medical information for disability support, or sexual orientation from a combination of gender, co-habitation status and/or partner details.

## Privacy Statement Students

What information do we collect about you?

### Documentation and evidence

To support an application we may also request evidence to prove eligibility, residency and proof of income.. This can include copies of documents such as passport, driving licence, birth certificate, marriage certificate, council tax statement and P60. The documents we may need will depend on your particular circumstances. We will tell you what to send after we process your submitted application.

The information that we gather and hold may be used for the prevention, detection, investigation and reporting of possible criminal conduct. Please see the section on fraud below for further information.

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## How is your personal information used?

When applying for student funding you supply us with personal information in support of your application. This personal information may be used in a number of ways:

- Assessing eligibility and entitlement to funding.
- Payment of bursaries, grants and allowances.
- Prevention, detection, investigation and reporting of crime.
- Audit purposes.
- Statistical analysis and research.
- Improving service levels.
- Maintaining and developing systems, processes and policies.
- Recovery of overpayments.

### Automated decision making

SAAS' processing operations includes a number of automated processes, which can lead to automated decision in relation to funding. These decision do not have a negative impact on the student. Where a student application does not contain the information required to make an automated decision in relation to funding, it will be routed to a casework to process.

Students can contact SAAS at any time by email, phone or student account to discuss any decisions in relation to their application for funding and if not satisfied with the outcome can make a [complaint](#) or [appeal](#) against a decision.

### Consequences of not providing personal information

Students are required to provide personal information in order to enable SAAS to assess your eligibility and entitlement to support through bursaries, grants and loans.

If you fail to provide all the information required you may not get the funding you are entitled to; if you knowingly provide incorrect information you could be investigated investigation and reporting of possible criminal conduct

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## **Prevention, detection, investigation and reporting of crime**

SAAS is under an obligation to protect the public funds within our control and we will not tolerate criminal conduct, including fraud, whereby individuals attempt to obtain access to funding which they are not entitled to or eligible for. We are committed to deterring, preventing and detecting criminal conduct and will investigate and, where appropriate, report cases to the Crown Office and Procurator Fiscal Service (COPFS) for prosecution. Our [Counter Fraud Policy](#) and [Counter Fraud Strategy](#) can be found on our website

### SAAS Counter Fraud Team

SAAS has a dedicated Counter Fraud Team who undertake proactive prevention and detection exercises to identify possible fraud. We also have a team of Accredited Counter Fraud Specialists and investigators trained by Police Scotland who gather evidence, investigate and report cases of criminal activity for prosecution.

We will investigate ALL instances where criminal conduct may have taken place, or report it to the appropriate organisation to investigate further e.g. Home Office, Student Loans Company, Department of Work and Pensions, HM Revenue and Customs, Police etc.

During both proactive and reactive investigations SAAS will request information from, and provide information to, other organisations for the purposes of ensuring that you remain eligible for support and that the level of support awarded is correct. Equally, other organisations will request information from SAAS for the purposes of the prevention, detection, investigation and reporting of crime.

As well as sharing information on a case by case basis SAAS also participates in a number of national initiatives to assist in fraud prevention and detection.

### National Fraud Initiative

The National Fraud Initiative (NFI), is an exercise comparing computer records held by one organisation against other computer records held by the same or another organisations to see how far they match (Data Matching). NFI data matching assists public bodies (usually government departments or agencies such as SAAS) to prevent and detect fraud and error.

### Level 1 Statement

*SAAS is under a duty to protect the public funds it administers, and to this end will use the information you have provided on this form for the prevention and detection of fraud. We will also share this information with other bodies responsible for auditing or administering public funds for these purposes.*

*For further information, see*

*[http://www.saas.gov.uk/fraud\\_prevention/national\\_fraud\\_initiative.htm](http://www.saas.gov.uk/fraud_prevention/national_fraud_initiative.htm) or contact the SAAS National Fraud Initiative Key Contact at SAAS Counter Fraud Team, Saughton House, Broomhouse Drive, Edinburgh, EH11 3UT or by email [SAASCFT@gov.scot](mailto:SAASCFT@gov.scot).*

## Fraud Prevention Agencies

### Fair Processing Notice

*The personal information we have collected from you will be shared with fraud prevention agencies who will use it to prevent fraud and money-laundering and to verify your identity.*

*If fraud is detected, you could be refused further funding from SAAS and certain services, finance or employment from other organisations.*

*You can obtain a copy of the full fair processing notice by writing to us at: SAAS Counter Fraud Team, Saughton House, Broomhouse Drive, Edinburgh, EH11 3UT or by email to [SAASCFT@gov.scot](mailto:SAASCFT@gov.scot). This will include further details on your data protection rights and how your information will be used by us and these fraud prevention agencies.*

## Overpayments

SAAS has a dedicated Recoveries Team who are responsible for pursuing students who have been paid more funding than they are entitled to receive.

An overpayment can arise for a variety of reasons including:

- Non-commencement or withdrawal from a course;
- Evidence to support an award not being provided

SAAS uses a debt recovery system hosted by a third party supplier to maintain records of overpayments and any recovery action taken. The information held includes personal information such as name, address, date of birth, email address and amount owed. Records of payments received, details of court action and where applicable details of employment as well as the outcome of the case are also held on the system.

SAAS will, where required, take court action and use the legal process to assist in the recovery of an overpayment. In this instance, SAAS will share personal information with Solicitors, Sheriff Officers and other legal professionals for the purpose of recovering the money.

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## Information sharing

SAAS will share your information with other organisations in order to fulfil its purposes, as listed in the section on why we collect your information.

Organisations SAAS may share information is include:

- Scottish universities, colleges and learning providers (including private)
- The Students Loan Company (SLC)
- Skills Development Scotland (SDS)
- Audit Scotland
- Fraud Prevention Agencies
- Local Authorities
- Police Scotland
- Her Majesties Revenue and Customs (HMRC)
- Department of Work and Pensions (DWP)
- Home Office

We will only share your information with partners or suppliers who have sufficient measures and procedures in place to protect your information and can meet their legal obligations under data protection legislation. These requirements will be set out in contracts or information sharing agreements.

Further details about information sharing can be found in SAAS' Register of Processing which sets out the activities that involve the collection and use of personal information and the reason why we can process your information lawfully. This registers can be found in the ['Why we need to collect your personal information section'](#) of this statement.

If you have applied for assistance with childcare, SAAS will verify the level of payments made with your registered childcare provider and may share this information with others to verify the accuracy of all information provided.

We may also share your information with other third parties e.g. parent, guardian if you have given you're consent for us to share this information. Where you give consent to share information with third parties, you have the right to withdraw consent.

We will never share your personal information for commercial purposes or for reasons out with SAAS' business purposes.

### Details of transfers to third country and safeguards

Your information is stored and processed on servers based within the European Economic Area. We do not transfer personal information overseas. If we are required to necessary to any transfers will be in full compliance with data protection legislation.

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## **How do we keep your information secure**

We are committed to protecting the privacy and security of the information submit to us.

We protect the transmission of your information to us by using Transport Layer Security (TLS).

The transmission of information over the internet is generally not completely secure. Although we will do our best to protect your information, we cannot guarantee the security of your data transmitted.

Any transmission is at your own risk.

When we receive your information, we have procedures and security measures in place to keep your data secure.

Where we share personal information with third parties through data sharing agreements or for legal/statutory requirements, we make sure they have the appropriate security policies and procedures in place.

If you have created an online account via our student portal, it is important for you to protect against unauthorised access to your password. You are responsible for keeping this password confidential.

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## **What if your Information changes?**

If any of your personal or contact details change, it is important that you tell us straight away so we have the most up-to-date information to communicate with you about your application and other services.

There are different ways that you can update and amend your details. To do this, please read the information in the [update my details](#) section of SAAS' website. Or contact us using our contact details on the [Contact us](#) page

Once you have updated your details, you may wish to contact your further or higher education institution and also the Student Loans Company if you have applied for a loan. SAAS will share your updated information with these organisations within two working days. We don't want to delay your payments because your records don't match.

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## Retaining your personal information

We retain personal information in line with the data protection legislation. This involves only retaining the personal information we need for business, regulatory or legal reasons. Once personal information is no longer needed, it is securely destroyed.

SAAS has a requirement to retain student records for several reasons, the key ones being:

- A student can apply for support throughout their lives and can appeal or make legal challenges to funding decisions;
- SAAS is required to appropriately manage public. This includes retaining information for audit purposes, recoveries action, prevention, detection, investigation and reporting of crimes and dealing with complaints and/or appeals.

SAAS will review the requirement to retain personal information for these purposes by the end of 2019.

Our Retention and Disposal Schedule can be found on our [website](#)

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## Individual rights

Data protection legislation provides the following rights for individuals:

1. The right of access
2. The right to rectification
3. The right to erasure
4. The right to restrict processing
5. The right to data portability
6. The right to object
7. Rights in relation to automated decision making and profiling

Further information about these individual rights can be found on the Information Commissioner's [website](#)

### How to request personal information

You have a legal right to access the personal information SAAS holds about you. This is known as a Subject Access Request (SAR) and we aim to process them within 30 days.

Subject Access Requests must be made in writing and anyone making an oral request will be asked to complete a [subject access request form.pdf](#). More information about making subject access requests is contained in the form.

### How to make a request in relation to other individual rights.

If you wish to make a request to change, delete, restrict processing or object to the processing your personal information; or if you wish to apply your right to data portability or rights in relation to automated decision making and profiling then any such request can be made verbally or in writing. However, as we need to verify your identity in order to comply with any request which may include providing copies of identification such as a driving licence, you may find it easier to make a request in writing.

You can find further information on individual rights [here](#)

We will always consider your request to make changes to your personal information and contact you regarding our response.

All requests should be sent to :

Data Protection Officer  
Student Awards Agency Scotland  
Saughton House  
Broomhouse Drive

Edinburgh  
EH11 3UT  
Email: [SAAS Data Protection Mailbox](#)

Telephone: 0300 555 0505

## **Complaints**

If you are not satisfied with the response received to your request by SAAS, in the first instance you should contact SAAS for a review of the decision. This can be done by writing to:

Data Protection Officer  
Student Awards Agency Scotland  
Saughton House  
Broomhouse Drive  
Edinburgh  
EH11 3UT  
Email: [SAAS Data Protection Mailbox](#)

If an individual is still dissatisfied, they have the right to contact the Information Commissioner's Office, the independent body overseeing compliance with the Act and should be directed to the [ICO website](#)

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## Call Recording and Digital Media

### Call recording

As part of our commitment to provide the best possible service to our customers we record telephone calls in our contact centre. This helps us to identify ways that we can provide you with a better service:

We record calls for:

- Staff training purposes, helping us to improve the quality of our customer services and to ensure the information we provide is consistent and accurate
- Reporting on the types and numbers of enquiries we receive
- Keeping an accurate record of your call, which may be needed to support any transactions that take place over the phone and/or if there are any disputes
- The gathering of evidence to assist in the investigation, and reporting of criminal conduct or attempted criminal conduct.

We understand your personal information is important and we are committed to protecting your privacy. We can actively retrieve call recordings for 500 days from our system after which point they are archived. Further information on call recording can be found in our [Call Recording Policy](#).

### Social Media

Our social media sites are public and can be accessed by anyone. Any personal information you chose to share via social media sites could be assessed by the wider public. We advise that you do **not** share personal information in public areas of social media.

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## **Cookies**

The SAAS website and online services uses cookies:

- To make sure our website works properly
- To collect data about the use of our website including the number of visitors and how frequently pages are viewed
- To ensure the secure function of the SAAS online service
- To remember your preferences and make the website easier to use

Please follow this [link](#) for our full cookie statement.

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**22 May 2018**