

## UCD Access & Lifelong Learning Disability Support: Privacy Statement

### About the Disability Support Privacy Statement

University College Dublin (UCD) is committed to ensuring that students with a disability have complete and equitable access to all facets of UCD life as can reasonably be provided. UCD has adopted a policy for students with disabilities studying in UCD which is in accordance with the Disability Act 2005, the Equal Status Acts 2000 (as amended), and the University Act 1997. Students with a disability are encouraged to register for disability support and 'reasonable accommodations' in the UCD Access and Lifelong Learning Centre (UCD ALL) to seek support in areas where their disability could affect their ability to participate fully in all aspects of the course. Such disclosure is encouraged so that UCD ALL can work with the student in ensuring that any reasonable accommodation required is identified and facilitated in consultation with the student.

Any student wishing to receive disability support and reasonable accommodations must attend a Needs Assessment taking into account the nature of the disability, course requirements and individual differences, read this Privacy Statement and sign the 'Consent to Release Information' form so that necessary information may be provided to third parties on a need-to-know basis for the purpose of receiving reasonable accommodations.

This document outlines the practices of UCD ALL in capturing 'sensitive personal data' for the intention of implementing reasonable accommodations. This Privacy Statement applies to all students at UCD, both undergraduate and postgraduate, with permanent or long-term disabilities who request reasonable accommodations. From 25 May 2018, UCD ALL process 'sensitive personal data' in accordance with EU General Data Protection Regulation (GDPR; 2016/679) and the Data Protection Act 2018.<sup>1</sup> This Privacy Statement & outlines:

1. How UCD ALL collects 'sensitive personal data'
2. The purpose for which UCD ALL collect and process 'sensitive personal data'
3. Legal basis for collecting 'sensitive personal data'
4. How UCD ALL stores and secures 'sensitive personal data'
5. Details of third parties with whom UCD ALL shares 'sensitive personal data'
6. Individual rights under GDPR
7. Reporting data breaches
8. Contact details

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<sup>1</sup> For the purposes of this privacy statement, UCD is the 'data controller' and UCD ALL is the 'data processor'. Please see UCD's [GDPR FAQs](#) and UCD's [Privacy Statement for Students](#) for more information and a glossary of terms.

## 1. How UCD ALL collects 'sensitive personal data'?

The data we collect will be used by UCD ALL only in accordance with the purposes outlined in this Privacy Statement. We will collect your data in the following manner:

CAO/DARE <sup>2</sup> disability evidence/DARE Educational Impact Assessment (and/or other application forms) if a disability is declared by the student during the DARE application which is sent to UCD by the CAO*
Students directly identifying themselves to UCD ALL seeking reasonable accommodations with appropriate evidence of disability* (i.e. 'Evidence of Disability Form' or appropriate documentation from the relevant healthcare professional as per the 'Evidence of Disability Form')
Students completing the Needs Assessment Appointment Request process on SISWeb
Conducting a face-to-face Needs Assessment with students
Students completing the 'Data Required by Funding Body ( <i>European Social Fund – Fund for Students with Disabilities</i> ) form'
Students completing various consent forms (i.e. Consent to Release Information form, Consent to Release Information – Students with Cystic Fibrosis)
Record of student interaction on CRM (i.e. email contact, verbal contact)

**\*NB:** If the student provides this information in advance of registering on a UCD course and then chooses to not enrol, evidence of disability will be destroyed on August 31<sup>st</sup> at the end of the Academic Year in which it was received. If the student decides to study at UCD at a later date, you will need to re-submit your evidence of disability and sign the Consent to Release Information form.

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<sup>2</sup> There is a [joint controller-agreement](#) between UCD and the CAO for the purposes of collecting this data.

## 2. Purposes for which UCD ALL collect and process ‘sensitive personal data’

The personal data we collect is necessary to provide students in UCD who are registered for disability support with the reasonable accommodations identified through a Needs Assessment process. In order to do this, we will need to “process” your data, which will include storing, collecting, retrieving, using, combining, erasing and eventually destroying your personal data, and can involve automated or manual operations. The table below outlines what data we collect and the purposes for why we collect it.

Data fields collected/processed	Purpose
Full name	Identification for communication & conducting Needs Assessment.
Student Number	Identification for communication & conducting Needs Assessment.
Email address	Communication regarding: <ul style="list-style-type: none"> <li>● Answering general queries regarding disability support.</li> <li>● Booking a Needs Assessment.</li> <li>● Sending your Certificate of Disability Support and information to you following a Needs Assessment.</li> <li>● General information pertaining to reasonable accommodations (e.g. details about alternate exam locations, collection of exam stickers etc.).</li> <li>● Occasionally promoting awareness of disability-related activities or opportunities linked to UCD ALL.</li> <li>● Occasionally soliciting voluntary feedback for research for the purposes of service development*</li> </ul>
Date of Birth	<ul style="list-style-type: none"> <li>● To verify your identity.</li> </ul>
Information pertaining to your disability in the form of: <ul style="list-style-type: none"> <li>● Evidence of disability</li> <li>● Verbal communication during Needs Assessment</li> <li>● Written consent</li> </ul>	<ul style="list-style-type: none"> <li>● Eligibility criteria for the ESF fund.</li> <li>● Determining impact of your disability on your role as a UCD student and subsequent appropriate reasonable accommodations.</li> <li>● Releasing necessary information to third parties on a need-to-know basis in order to implement reasonable accommodations.</li> <li>● Internal and external reporting using anonymised data.</li> </ul>
Information pertaining to your eligibility for the ESF fund (if applicable) including: <ul style="list-style-type: none"> <li>● Course details</li> <li>● Residency</li> <li>● Living in Rural/Urban area</li> <li>● Nationality</li> <li>● Immigration Status</li> <li>● Labour Market Status</li> <li>● Educational Attainment</li> <li>● Personal Data required by ESF</li> </ul>	<ul style="list-style-type: none"> <li>● Eligibility criteria for the ESF fund.</li> <li>● Coordinating, monitoring and evaluating the operation of the ESF fund using anonymised data.</li> </ul>

**\*NB** = The contribution of students who use UCD ALL is vital so that the service can develop in response to evidence-based research. By accessing disability supports from UCD ALL, you will be asked to participate in surveys or other forms of research but your non-participation will not in any way prejudice the supports or accommodations you may be entitled to.

### **3. Legal basis for collecting 'sensitive personal data'**

The legal basis for collecting personal data is to comply with duties listed under GDPR (2016/279), the Disability Acts 2005, Equality Status Act 2000 (as amended) and the University Act 1997.

The data we collect about you will be used to implement appropriate reasonable accommodations and disability support. When students register for reasonable accommodations with UCD ALL, they are provided with this Privacy Statement which details information on the 'sensitive personal data' collected by UCD and how it will be processed. Students seeking reasonable accommodations must sign a Consent to Release Information form at their Needs Assessment providing their consent to release necessary information to relevant internal and external bodies for the purposes of receiving reasonable accommodations.

UCD will ensure that your data is processed fairly and lawfully in keeping with the principles of data protection. For the purposes outlined in this Privacy Statement, your 'sensitive personal data' will be processed on the basis of **informed consent**. Should we require your consent for any other specific use of your personal information, we will collect it at the appropriate time, and you can withdraw this at any time.

**Note:** If you choose not to consent to the collection and processing of your data or choose to restrict the disclosure of your data where it is necessary for the implementation of reasonable accommodations, you may not be able to receive those reasonable accommodations.

Furthermore, students may withdraw their consent to disclose information at any time. Withdrawing consent to disclose information may limit the implementation of reasonable accommodations. To withdraw consent, UCD ALL requires the student to attend a meeting to review the Consent to Release Information form and to advise us in writing that they are withdrawing their consent. To organise a meeting to withdraw consent at any time, please email [disability@ucd.ie](mailto:disability@ucd.ie).

#### 4. How UCD ALL stores and secures 'sensitive personal data'

Any data we collect from you will be stored confidentially and securely as required by UCD's [Information Handling Standard](#). The University is committed to ensuring all access to and processing of University data is performed in a secure manner. In keeping with the data protection principles, we will only store your data for as long as is necessary.

For the purposes described here UCD ALL will store 'sensitive personal data' securely, as follows:

**Paper records:** UCD ALL does not hold any paper documents and will give paper records back to students once scanned. Paper records received by UCD ALL will be scanned and shredded.

**Electronic records<sup>3</sup>:** all documentation related to your disability and forms relating to the Needs Assessment are stored on the Disability Support Shared Drive which is compliant with UCD's [Data Classification Policy](#). Notes on all interactions are stored on the Disability Support UniShare CRM System provided through InfoHub. Access to these systems is limited to authorised UCD ALL staff.

**Retention of documentation:** in accordance with UCD's [Record Management Policy](#) and the HEA's external reporting requirements for the ESF, data on ESF-eligible students is securely stored as electronic files for a minimum of three years following programme completion/graduation/withdrawal. The maximum retention period for ESF-eligible student data is determined by the ESF governing body. It will then be securely destroyed.

Data pertaining to students who are not eligible for the ESF will be securely stored as electronic files until programme completion/graduation/withdrawal, after which it will be securely destroyed.

UCD ALL keep an **electronic record of supports and equipment** provided to students and interaction with students to ensure that a consistent service is provided to all students.

**Statistical information:** data gathered to monitor and evaluate the service provided through UCD ALL will be anonymous.

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<sup>3</sup> When UCD stores 'sensitive personal data' on our systems, the data will be stored either on UCD premises or on secure IT platforms within the EEA, which are also subject to European data protection requirements. Please see UCD's [Cloud Computing Self Evaluation Guidelines](#) for more information.

## 5. Details of the third parties with whom we share personal data

UCD ALL will share personal data with third parties (internal and external) where necessary for the purposes of processing outlined in section 2 of this Privacy Statement. Specific medical or other documentation will not be disclosed to any third party, except where necessary to provide reasonable accommodations. Where a student requests and is granted any form of reasonable accommodation, such as extra time in exams or permission to record lectures, UCD ALL will, with consent from the student, disclose relevant information to the individuals in those schools responsible for providing or facilitating students in accessing such accommodations. In such instances, only information relevant to the particular situation will be disclosed. Where academic staff contact UCD ALL for advice regarding individual students, staff will be informed that it is necessary to obtain the permission of the student before doing so.

UCD ALL may share student's data with the following parties:

<b>External Bodies</b>	<b>Type of Disclosure</b>	<b>Purpose of Disclosure</b>
Funding Body (Higher Education Authority: <i>European Social Fund - Fund for Students with a Disability</i> ; Disabled Student Allowance [DSA])	Name, student number, evidence of disability, details of supports received, registration status, degree outcome and other personal information.	Applying for ESF/DSA funding.  External reporting activities using anonymised data.
External service providers & UCD Finance Office (if applicable) e.g.: <ul style="list-style-type: none"> <li>• Bridge Interpreting Ltd;</li> <li>• ServiSource</li> <li>• Assistive technology provider</li> </ul>	Name, student number, contact information (phone number & UCD email address), nature of disability, support requirements as necessary.	Implement reasonable accommodations.
<b>Internal Bodies</b>	<b>Type of Disclosure</b>	<b>Purpose of Disclosure</b>
School and Programme staff including Module Coordinators, lecturers, tutors, Student Advisor and Programme Manager*	Name, student number, details of exam and classroom accommodations.	Implement classroom & exam accommodations.
UCD Registry – UCD Assessment staff (e.g. Alternate exam venue organisers & invigilators)	Name, student number, details of exam accommodations.	Implement exam accommodations.
Internal & external UCD ALL reporting activities	Anonymised data relating to nature of disability, College of study, gender, time of Needs Assessment.	Evaluating and reporting on Disability Support activities.
School of Nursing, Midwifery and Health Systems – Disability Liaison Team	Name, student number, nature of disability, details of exam and classroom accommodations.	Identifying students to complete a Clinical Needs Assessment for support needs on placement.
UCD Global & UCD Finance Office (if applicable, to access fund for international students with disabilities)	Name, student number, details of exam and classroom accommodations.	Implement reasonable accommodations.
Access Coordinator Thomond Coogan (if applicable)	Name, student number, details of exam and classroom accommodations.	Provide support for students in requesting reasonable accommodations (optional).
UCD Library (if applicable)	Name, student number.	Enabling use of accessible entrance.
UCD Residences (if applicable)	Name, student number.	Provision of accessible rooms.

**\*NB=** Students remain responsible for requesting reasonable accommodations from Module Coordinators following the Needs Assessment, especially for in-class and local arranged exams. Module Coordinators remain responsible for implementing these reasonable accommodations at the programme level.

When UCD ALL shares personal data with the third parties outlined here for the purposes of implementing reasonable accommodations, UCD ALL will ensure that the data is only processed according to our specific instructions and that the same standards of confidentiality and security are maintained. Once the processing of personal data is complete any third parties with whom data was shared will be required to return the data to UCD ALL, except where they are required to retain it by law.

**Note on Non-disclosure of information:** Students may, at any time, request restrictions to the processing or sharing of data by UCD ALL by ticking '**No**' in any of the boxes on the 'Consent to Release Information' form at their Needs Assessment. However, by ticking '**No**', students may not be able to receive those reasonable accommodations that require disclosure of information.

**Parents/guardians & Other student:** Due to GDPR, information about students with disabilities and support requirements will not be shared or discussed with parents/guardians without written consent from the student. Please note that even if you provide such consent, parents cannot act, or request changes, on your behalf and that you retain responsibility for engaging with UCD ALL. UCD ALL will not disclose details of your disability to other students; it is your choice whether to tell others that you have a disability or that you are accessing/receiving support.

**Third parties not specified above:** Students remain the controllers of their data and UCD ALL will not share data with any third parties apart from those specified in the Consent to Release Information form for the purpose of implementing reasonable accommodations. Should the student wish to share their data with other third parties, they should request their data from UCD ALL, they will then be provided with their data and may share it with whom they wish.

**Disclosures in exceptional circumstances:** UCD ALL may, in exceptional circumstances, share some data about a student's disability/condition with third parties without the student's consent. These circumstances are provided for, in full, under the Data Protection Act and include:

- Emergencies, e.g. if the student is unwell/injured; or at risk of injury to themselves/others.
- To protect the vital interests of any person, including the student.
- Fitness to study issues or a duty to report to a professional body (such as the Teaching Council).
- Complaints/appeals to UCD.
- Legal situations, e.g. legal disputes/advice/proceedings, or where required by a court of law.
- To law enforcement agencies, for the prevention/detection of crime or the apprehension/prosecution of an offender.

## 6. Individual rights under GDPR

You will have the following rights over the way we process your personal data. If you would like to exercise any of the below rights, please see our contact details below. Further details on these rights are available [here](#).

### Right of Access

You have the right to request a copy of the personal data we are processing about you and to exercise that right easily and at reasonable intervals.

### Consent

You have the right to withdraw your consent where that is the legal basis of our processing. Under GDPR, UCD have the legal basis to process the above specified data with a student's informed consent in order to fulfil UCD's legal obligation of implementing reasonable accommodations in accordance with the Disability Act 2005, the Equal Status Act 2000 (as amended) and University Act 1997.

### Rectification

You have the right to have inaccuracies in personal data that we hold about you rectified.

### Erasure

You have the right to have your personal data deleted where we no longer have any justification for retaining it subject to exemptions such as the use of pseudonymised data for scientific research.

### Object

You have the right to object to processing your personal data if:

- We have processed your data based on a legitimate interest or for the exercise of the public tasks of the University if you believe the processing to be disproportionate or unfair to you.
- The personal data was processed for the purposes of direct marketing or profiling related to direct marketing. For example, where a data controller is using personal data for the purpose of marketing something directly to the individual, or profiling for direct marketing purposes, the individual can object at any time, and the data controller must stop processing as soon as they receive the objection.
- We have processed the personal data for scientific or historical research purposes or statistical purposes unless the processing is necessary for the performance of a task carried out for reasons of public interest.

### Restriction

You have a limited right to restrict the processing of your personal data by a data controller such as UCD. Where processing of data is restricted, it can be stored by the data controller, but most other processing actions, such as deletion, will require permission.

This right applies in four ways. The first two types of restriction of processing apply where an individual has objected to processing of data under Article 21, or where the individual has contested the accuracy of data. In these cases, the restriction applies until the data controller has determined the accuracy of the



data, or the outcome of the objection. The third situation in which an individual can request restriction relates to processing that is unlawful. In these cases, if an individual does not want the data controller to delete information, they can request restriction of the personal data instead. The fourth type of restriction of processing applies where data is required for the purpose of a legal claim. In this case, restriction can be requested even where the data controller no longer needs the data.

When restriction of processing is obtained, what obligations does the data controller have? Where an individual has obtained restriction of processing of data, the data controller must inform the individual before lifting the restriction.

### **Portability**

You have the right to have a readily accessible machine-readable copy of data transferred or moved to another data controller where UCD is processing the data based on consent.

### **7. Reporting data breaches**

Under the GDPR, a data breach which is reportable to the Data Protection Commissioner must be reported no later than 72 hours after awareness is made of it. All breaches or suspected breaches should therefore be reported to the UCD Data Protection Officer (contact details below) without delay for assessment.

### **8. Contact details**

If you have any queries relating to this Privacy Statement and Consent to release Information form or to the processing of your personal data for the purposes outlined above or you wish to make a request in relation to your rights, you can contact any member of the Disability Support team via:

Disability Support Team  
UCD Access & Lifelong Learning  
Level 1, James Joyce Library Building,  
University College Dublin, Belfield, Dublin, D04 V1W8  
Phone: 01 716 7123  
Email: [disability@ucd.ie](mailto:disability@ucd.ie)

If you wish to make a complaint or escalate an issue relating to your rights you can contact the Data Protection Officer via:

UCD Data Protection Officer  
Room E2.09, UCD O' Brien Centre for Science,  
University College Dublin, Belfield, Dublin, D04 V1W8.  
Email: [gdpr@ucd.ie](mailto:gdpr@ucd.ie)

Complaints in relation to decisions made by UCD ALL staff or with service delivery should be dealt with through the [UCD Complaints Procedure](#) if they are not resolved by UCD ALL to your satisfaction. Finally, if you are not satisfied with the information we have provided to you in relation to the processing of your data, you can also make a complaint to the Data Protection Commissioner via the link in their website [Making a Complaint to the DPC](#).