

Privacy Notice for Students

21

ACADEMY





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to offer excellent face to face and online academic courses with the aim of providing students with a learning experience comprising of quality of teaching, learning facilities and a positive education experience.

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Preamble

This Privacy Notice allows 21 Academy to present to students in a clear and precise manner the personal data that may be collected during the duration of the students' experience with us. We are committed to respecting the privacy of our students. Therefore, we set out the conditions under which students' personal data may be processed.

1. What is the Purpose of this Document?

Advisory 21 t/a 21 Academy (referred to as the “Academy”, “we”, “us” or “our” in this privacy notice) is committed to protecting the privacy and security of all its students.

This privacy notice describes how the Academy collects and uses personal information about all students (referred to as “you”, “your” in this privacy notice) once, and following, you have been presented with a letter of acceptance, in accordance with the Data Protection Legislation (referred to as “DPL” in this privacy policy). It provides information about the use of personal information when you make enquiries about studying at 21 Academy, submit an application, sign a students’ agreement, sit for the respective study programme and to keep a record of your academic qualifications attained with Us.

It applies to all students who join one or more of the Academy’s study programmes.

The Academy is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

2. What is personal data?

Personal data means any information which relates to or identifies you as an individual and includes opinions about you or information which may not explicitly identify you (such as where your name has been removed) but which nevertheless does identify you if it is combined with other information that is readily available.

3. Who will process my personal information?

This notice explains how the Academy will store and process your personal information from the time you first make an enquiry up until the day the data we hold about you is destroyed or anonymised.

4. What personal information will you process and why?

The Academy may obtain, hold and process data of applicants and students including personal details, family and social circumstances, education and training records, employment information and financial details. It may obtain, hold and process special category data of students.

Personal data and special category data held by the Academy relating to students is obtained directly from the student or applicant, or in some cases from a third-party organisation involved in the services provided to students such as bodies which award funding.

The Academy holds the personal data and special category data of its applicants and students in order to manage our processes and services. The Academy also has a statutory obligation to report data on its activities to the relevant Maltese education authorities. Only information required for these purposes is obtained and processed, and without it the Academy may not be able to provide its services to you or meet its statutory obligations. Information is utilised by the Academy as is necessary and proportionate for our operational purposes.

5. What is the purpose of the processing under data protection law?

We will only use your personal data when the law allows us to do so by providing us with a legal basis or valid condition. In the case of those making an enquiry to study at the Academy, prior to submitting an application or signing the student agreement, we will process your personal data on the basis of your consent. We also understand that unless you indicate otherwise we will send you information on other study programmes on offer by the Academy which we understand that might interest you.

Following the submission of an application to join a study programme we will use your personal information in the following circumstances where it is necessary for the:

- performance of our contractual obligations with you including preparing for the Student Agreement;
- compliance with a legal obligation;
- pursuit of the legitimate interests of the Academy or its study programmes' partners, such as to send promotional information relating to studying at the Academy.

We require you to provide us with the information we ask for during the application process in order to assess your eligibility criteria and application properly. If we require your consent for any additional uses of your personal information, including your image and more sensitive personal information we will collect it at the appropriate time and explain this to you. You can withdraw your consent at any time. We will not process your personal data to carry out automated decision-making processing that may affect you.

6. Examples of processing

The Academy will process the personal information you provide, including your application details and the other information referred to above for a range of purposes connected with your studies and successful completion of study programmes, including the purposes of:

- 6.1 identifying you
- 6.2 sending you the study programme's related information you requested and tracking your application status
- 6.3 sending you other information by both mail and electronically relevant to an enquiry about studying at 21 Academy. In certain circumstances where this information is not necessary for the processing of your application you will be provided with the opportunity to opt-out of receiving such information
- 6.4 processing your application to study at 21 Academy including, when the case, any related applications for accommodation services
- 6.5 verifying the information you provided
- 6.6 deciding whether to offer you a place and communicating that outcome (together with any feedback)
- 6.7 conducting a payment terms assessment
- 6.8 provision of academic services in relation to your study programme, including:

- student registration;
- management of assessment (including examinations);
- management of academic progression (including mitigating circumstances);
- monitoring of attendance;
- investigations into academic misconduct;
- graduation;
- certification;
- provision of references;
- maintenance of student records;
- timetabling;

6.9 providing student support service

6.10 ensuring safety and security;

6.11 managing accommodation (foreign students only);

6.12 financial administration (e.g. tuition fees, scholarships, etc.);

6.13 statutory reporting to the Malta Further and Higher Education Authority

We may also use or disclose the information provided for the following statutory or public interest purposes:

6.14 to prevent or detect fraud

6.15 to provide statutory returns required by applicable legislation

6.16 for research and statistical purposes, but no information which could identify you will be published

We do not undertake automated decision-making processes using your personal data.

7. Special Category Data

The Academy may also process some information about you that is considered more sensitive, and this is referred to as ‘special category’ personal data in the General Data Protection Regulation. When we process this type of data, we are required to apply additional protections. Special category of data is defined as racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health or sex life and sexual orientation, genetic data and biometric data which is processed to uniquely identify a person. This also includes any personal information relating to criminal convictions and offences.

“Special categories” of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing, and using this type of personal information. We may process special categories of personal information in the following circumstances:

- In limited circumstances, with your explicit written consent.
- Where we need to carry out our legal obligations and in line with our Privacy Standard.
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public. We will use your special category personal information in the following ways:

- 7.1 your national origin for reporting (including where for monitoring purposes conducted by the Malta Further and Higher Education Authority)
- 7.2 information about your physical health or disability status where you choose to provide these details to us in order to receive an additional service, such as for Us to make reasonable adjustments relating to a disability you wish to inform us about.
- 7.3 your sickness absence records if and when you make these available to Us.

8. Sharing of your Personal Data

For purposes referred to in this privacy notice we may share your personal data with certain third parties. Students are given the opportunity to opt-out of some data sharing arrangements, but we encourage students to think carefully about the impact of doing so. Where an opt-out is not in place, we will disclose relevant personal data to third parties, including:

- our employees, partners, agents and contractors, where there is a legitimate reason for receiving information (e.g. academic and administration staff, providers of student accommodation, software providers – such as plagiarism detection service, auditors etc.);
- student sponsors, such as employers, in relation to registration and/or attendance and progress;
- providers of financial services, for example for the payment of fees, refunds, loans and similar services;
- professional and regulatory bodies in relation to the accreditation of our programmes, confirmation of qualifications and professional registration (e.g. Malta Institute of Accountants etc.);
- government departments or agencies where the Academy has a statutory obligation to provide information (e.g. the Malta Further and Higher Education Authority and the Central Visa Agency);
- agencies involved in the prevention and detection of crime (e.g. the Police);
- next of kin (where there is a legitimate reason for disclosure);
- third parties conducting surveys (e.g. the National Statistics Office).

Transferring information outside the EU

We do not transfer the personal information we collect about you to any country outside the European Union.

9. Data Security

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

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

10. How long is my information kept?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. 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 requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker or contractor of the company we will retain and securely destroy your personal information in accordance with applicable laws and regulations.

11. Your Rights

Under certain circumstances, by law you have the right to:

- Request access to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
- Object to processing of your personal information 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. You also have the right to object where we are processing your personal information for direct marketing purposes.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Academy’s Data Protection Lead in writing.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such 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 the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Your duty to inform us of changes

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

12. Data Protection Lead

We have appointed a Data Protection Lead to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the Data Protection Lead.

Email address: info@advisory21.com.mt

You have the right to make a complaint at any time to any supervisory authority. The supervisory authority in Malta is the Office of the Information and Data Protection Commissioner.

Name: Information and Data Protection Commissioner (IDPC)

Address: Level 2, Airways House, High Street, Sliema

Email: idpc.info@idpc.org.mt

Website: <https://idpc.org.mt/en/Pages/contact/complaints.aspx>

Landline: 2328 7100

We would, however, appreciate the chance to deal with your concerns before you approach the IDPC so please contact the Data Protection Lead on any of the above contact details in the first instance.

13. Changes to this Privacy Notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact the Company's Data Protection Lead.



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