

last edit 21 August 2023 Ref data coding manual items <a href="https://codingmanual.hesa.ac.uk/22056/dataDictionary/">https://codingmanual.hesa.ac.uk/22056/dataDictionary/</a>	WDTK	Note	DPIA	Number of student records supplied	Trans field Optional for all providers in Scotland. <a href="https://web.archive.org/web/20230202165749/https://codingmanual.hesa.ac.uk/22056/Student/field/TRANS">https://web.archive.org/web/20230202165749/https://codingmanual.hesa.ac.uk/22056/Student/field/TRANS</a>	SEXTORT Sexual Orientation Compulsory for all Students at providers in England, Northern Ireland and Wales. Optional for all Students at providers in Scotland. <a href="https://codingmanual.hesa.ac.uk/22056/Student/field/SEXTORT">https://codingmanual.hesa.ac.uk/22056/Student/field/SEXTORT</a>	GENDERID All Students at providers in England, Northern Ireland and Wales The data is recorded on the basis of the student's own self-assessment. This question should be asked alongside the sex identifier question. The valid entries have been aligned with the census in each country. <b>Suggested question:</b> 'Is the gender you identify with the same as your sex registered at birth?' 98 Prefer not to say; this code should be used when the student does not wish to declare this information.99 Not available: this code should be used when the provider is unable to obtain the data in order to submit it to HESA. <i>Note that this option should not be presented to students explicitly.</i>	Students told?	Legal basis?	MOU / data sharing agreement	Opt in
St Andrews	<a href="https://www.whatdotheyknow.com/request/student_data_data_futures_collec_9">https://www.whatdotheyknow.com/request/student_data_data_futures_collec_9</a>	delayed to August 8 - The University has not uploaded any staff records to the HESA Data Platform	none	Transfer of information was made on 1 June 2023 for 8,778 student engagements with the University which relates to 8,094 individual students. It is noted that students can have more than one engagement with the university, for example, if they are enrolled on a standard degree programme, and an evening language course, this would count as two engagements.	As part of the data transfer made on 1 June 2023 there were 7,806 engagements that have data in the TRANS field, and 972 left blank (JP note that all of those completed can indicate gender as at birth or 'prefer not to say').			Students only have rights in this area, by virtue of DPA, Schedule 1, paragraph 8(5) i.e. where a data subject gives notice to the controller not to process personal data that falls within the scope of paragraph 8 of the same. * Students are advised of this right during data collection	As a fundable body, listed under the Higher Education (Scotland) Act 2005, the University is obligated to meet conditions of grant issued by the funder i.e., the Scottish Funding Council (the "SFC"). Such includes providing statistical and other data, for the SFC to meet its obligations under legislation and to the Scottish Government.		
Aberdeen	<a href="https://www.whatdotheyknow.com/request/student_data_data_futures_collec_4#incoming-2357399">https://www.whatdotheyknow.com/request/student_data_data_futures_collec_4#incoming-2357399</a>	From the DPIA: "Some of the information that is being captured and processed could result in physical harm to individuals if disclosed – this particularly relates to data around gender identity or sexual orientation, which may have significant penalties (e.g. imprisonment, death sentence, societal/ media persecution) for international students depending on their country of residence."	yes (Note the Uni says HESA refused to provide it with one)	supplied 10,442 records in the May submission, which was an interim deadline.	in relation to the data processed under the TRANS question, we submitted the same number of records (10,442), in terms of each student providing a response to this question, regardless of whether affirmative or not.			No. Privacy notices published online only.	The University is required to provide the return to HESA therefore the lawful basis is UK GDPR, Article 6(1)(c) - legal obligation. Section 22 of the Further and Higher Education (Scotland) Act 2005 requires HE providers in Scotland to provide the Scottish Further and Higher Education Funding Council with "such information as it may reasonably require for the purposes of or in connection with the exercise of any of its functions." In relation to special category data, the HESA 'Data Protection Guidance for the HESA records' Data protection guidance for the HESA records   HESA states as follows: Certain categories of data are specified as 'Special categories of personal data' under GDPR. Collection of these sensitive or special categories of data is necessary for statistical research purposes to help public authority data controllers to meet their public-sector equality duties under the Equality Act 2010. This processing is lawful under GDPR Article 9(2)(j). The lawful basis within the Data Protection Act 2018 would be Schedule 1, Part 1, para 4 and UK GDPR Article 89(1)		No. consent is not the lawful basis for the processing. The online registration process does ask students to confirm that they accept the terms and conditions of study.

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<b>Abertay</b>	<a href="https://www.whatdotheyknow.com/request/student_data_data_futures_collec_5">https://www.whatdotheyknow.com/request/student_data_data_futures_collec_5</a>		none	in 2022-23 records of 3,900 students were supplied to HESA/JISC on 23 May 2023 (no further transfers have been undertaken to date) (2) in 2022-23 zero staff records were supplied to HESA/JISC on 19 July 2023	Zero records of students have had data processed in the TRANS field so far			Where appropriate, this is covered by the withdrawal of consent section of the student privacy notice at <a href="https://www.abertay.ac.uk/legal/student-personal-data-privacy-notice/">https://www.abertay.ac.uk/legal/student-personal-data-privacy-notice/</a>	The lawful basis for this processing is a public task as set out in the Abertay University (Scotland) Order of Council, 2019 where the sharing of such data for collation by a third party assists in benchmarking, funding allocation, and forward planning that promotes the objects set out in Part 2 Article 4 of the Order - <a href="https://www.legislation.gov.uk/ssi/2019/163/article/4/made">https://www.legislation.gov.uk/ssi/2019/163/article/4/made</a>		
<b>Dundee</b>	<a href="https://www.whatdotheyknow.com/request/student_data_data_futures_collec_6">https://www.whatdotheyknow.com/request/student_data_data_futures_collec_6</a>	The University does not have a Data Protection Impact Assessment for this processing, so please accept this as information not held as per section 17 of FOI(S)A.	none	10,883 student records have been supplied so far, across the following dates: 18 April 2023 20 April 2023 21 April 2023 24 April 2023 25 April 2023 26 April 2023 27 April 2023 2 May 2023 3 May 2023 1 Jun 2023 0 staff records have been supplied so far as part of the Student Data Futures collection				Privacy Notice for [2]Students and [3]Staff respectively, and the University is therefore applying the exemption at section 25 of FOI(S)A - Information otherwise accessible.		The University of Dundee does not have a memorandum of understanding (MOU) or data sharing agreement about the distribution or other processing of the data in this collection, so please accept this as information not held as per section 17 of FOI(S)A.	
<b>Edinburgh Napier</b>	<a href="https://www.whatdotheyknow.com/request/student_data_data_futures_collec">https://www.whatdotheyknow.com/request/student_data_data_futures_collec</a>		refused	At the 31st May 2023 interim submission deadline we submitted a partial data set of 10,308 student records. As of the 21st June 2023, we have not made any further submissions. Staff records are not included in the HESA Data Futures submission coverage	The data item 'TRANS' is optional for Scottish providers to return to HESA so to reduce staff burden we have decided we will not process it for inclusion in any submission for year 22/23			Students are provided with Privacy Notices at matriculation. Staff are provided with Privacy Notices when applying to and joining the University		refused	Depending on the specific data item (question) we are collecting at registration, students are given the option of 'prefer not to say'.

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Edinburgh	<a href="https://www.whatdotheyknow.com/request/student_data_data_futures_collec_7">https:// www.whatdotheyknow.com/ request/ student_data_data_futures_ collec_7</a>		none	The University has not yet made any data submission under the Data Futures programme, therefore, we do not hold the information to answer this part of your request. Please note, the HESA staff return is not part of the Data Futures programme at present				The University's student privacy statement links directly to HESA's collection notices which provides a statement regarding the change of data controller and information about the data collection schedule.			Students are not able to opt out of the University's requirement to return data to HESA because the University has a legal obligation to provide student data to the Higher Education Statistics Agency (HESA)
Glasgow	<a href="https://www.whatdotheyknow.com/request/student_data_data_futures_collec_8">https:// www.whatdotheyknow.com/ request/ student_data_data_futures_ collec_8</a>	The staff collection for 2022-23 has not been returned as it is not due until September 2023.	none	The number of student instances (multiple instances can be returned for each student) returned to HESA for the May Interim Submission was 39,788. Please note that this was only a subset of the population to meet the threshold for the interim submission. The total HESA Student Headcount for 2021-22 was 42,931.	Students are asked the following question at Academic Registration: Do you consider yourself to be trans or have a trans history? • 01 YES - 839 • 02 NO - 35, 568 • 98 Prefer not to say – 1143 • 99 Not available – 2238						During academic registration, students who form part of the HESA population can select 'prefer not to say' for personal data collected for HESA statutory purposes. For example, the choices presented to students when asked if they consider themselves transgender or have a trans history are; Yes, No or Prefer not to say. Before a student completes academic registration they are asked to confirm the student contract which provides links to the Student Privacy Notice which covers how the university will process personal data e.g. for HESA purposes.

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Heriot Watt	<a href="https://www.whatdotheyknow.com/request/student_data_data_futures_collec_3">https://www.whatdotheyknow.com/request/student_data_data_futures_collec_3</a>	DPIA not yet done, in progress and will send a copy	in progress	7960 student records 0 staff records	Data relating to 6,669 students was processed in this data field. This includes all options available to the students.			We provide information about our use of personal data in our communications including explicit links during online enrolment to provide further information to students. For example, please see the Uni [8]Privacy Notices on our website relating to current students, prospective students, and potential, current and former employees. These include links to HESA's data collection notice.	The lawful basis for processing this data is UK GDPR Article 6 (1) (c) - legal obligation to which the University is subject. For special category data it is UK GDPR Article 9(2)(g) necessary for reasons of substantial public interest. These are set out within the Data Protection Act 2018 Schedule 1, Part 2, Clause 6 Statutory and Government purposes and Clause 8 Equal Opportunity or Treatment.		As advised above in (b) we are not relying on individuals' consent to process their personal data for the purpose of meeting our statutory duties to submit our HESA returns. Our Privacy Notices inform individuals of their rights under Data Protection law including their right to object to the way we are using their data.

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<b>Strathclyde</b>	<a href="https://www.whatdotheyknow.com/request/student_data_data_futures_collec_11">https:// www.whatdotheyknow.com/ request/ student_data_data_futures_ collec_11</a>	As with every other Uni, the problem with no opt out is that the 'consent' or 'prefer not to say' is bundled for all purposes, all together, local Uni, HESA submission, retention at the DfE or Funding bodies. Therefore students have no idea what they are agreeing to or choosing to withhold.	none	27033 records of students were transferred on 27 May 2023, no staff	Total: 27,033 Yes: 179 No: 26,174 Prefer not to say: 680			Privacy notices for both Students and Staff are available via the University website and include links to the HESA Collection Notices. Individuals are directed to the Privacy Notices during a number of different processes such as staff recruitment or student registration. We do not hold any recorded information about the date on which staff and students were directed to the relevant Privacy Notices. Accordingly, I must advise you under section 17(1)(b) of the Freedom (Scotland) Act 2002 (FOISA), that the University does not hold the information requested on this subject.	UK GDPR Article 6 (1)(c) – legal obligation. The University has a legal obligation to provide personal data to fulfil statutory reporting requirements. 2 • UK GDPR Article 9(2)(g) - necessary for reasons of substantial public interest (in this case, Equal Opportunity or Treatment, and Statutory etc and government purposes).	universal HESA Subscription Agreement <a href="https://www.hesa.ac.uk/support/provider-info/subscription/agreement">https:// www.hesa.ac.uk/ support/provider- info/subscription/ agreement</a>	An opt-out from the HESA data return is not offered because the University has a legal obligation to provide student data to HESA. We do not rely on consent as the lawful basis for processing this data. Students may of course decide not to provide certain information when it is collected, and instead choose "prefer not to say".
<b>University of the West of Scotland</b>	<a href="https://www.whatdotheyknow.com/request/student_data_data_futures_collec_10">https:// www.whatdotheyknow.com/ request/ student_data_data_futures_ collec_10</a>	delayed: July 14 "ongoing IT issues" (Note reports of cyber attack in the media).									