

# The University of Hong Kong

## Privacy Notice – Supplement to the Personal Information Collection Statement for Applicants and Students (“PICS”)

This privacy notice supplements the PICS and applies to you if and to the extent that the General Data Protection Regulation of the European Union (“GDPR”) is applicable and relevant.

It is important that you read and understand this privacy notice, together with any other privacy notices/PICSs that you are provided on specific occasions or matters.

The GDPR can be accessed [here \(https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1532348683434&uri=CELEX:02016R0679-20160504\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1532348683434&uri=CELEX:02016R0679-20160504).

### **Introduction**

The University of Hong Kong (“University”) is committed to protecting the privacy and security of your personal data (“personal data”). This privacy notice further explains how the University collects, uses, shares, handles and stores your personal data, and outlines your rights in relation to the personal data that we process.

The University is the Data Controller for your personal data.

For Research Postgraduate **applicants** to the University, the GDPR Focal Point for this privacy notice is the Personal Data Protection Controller, Graduate School, Room P403, Graduate House, The University of Hong Kong, Pokfulam, Hong Kong (email: [gradsch@hku.hk](mailto:gradsch@hku.hk)).

For **applicants** to the following programmes at the University:

- EMBA-Global Asia
- Executive Master of Business Administration
- Master of Business Administration (International)

the GDPR Focal Point for this privacy notice is the Personal Data Protection Controller, Room 204, Cyberport 4, Block B, 100 Cyberport Road, Hong Kong (email: [chancarol@hku.hk](mailto:chancarol@hku.hk))

For all other undergraduate and Masters degree postgraduate **applicants**, the GDPR

Focal Point for this privacy notice is the Personal Data Protection Controller, Admissions Office, MG14, Main Building, The University of Hong Kong, Pokfulam, Hong Kong (email: [aalgdpr@hku.hk](mailto:aalgdpr@hku.hk)).

For **students**, the GDPR Focal Point for this privacy notice is the Personal Data Protection Controller, Academic Support and Examinations Section, 10/F., Knowles Building, The University of Hong Kong, Pokfulam, Hong Kong (email: [asegdpr@hku.hk](mailto:asegdpr@hku.hk)).

### **Personal Data Collected/To Be Collected**

The University may collect, hold and process personal data of you including personal details, contact details, residence, family information, education and training records, professional qualifications, past and present employment records and salaries, referees and references, visa, nationality, passport and immigration information, and extra- or co-curricular activities, interests and achievements. It may collect, hold and process special categories of personal data including disability data, whether physical or mental health, or special educational needs.

Personal data and special categories of personal data of you held by the University are collected directly from you from your application, during the application process and/or during your studies at the University through various channels of communications with you, or in some cases from a third party or source, that may include your parents (if under 18 years of age), Principals, Counsellors or Teachers of your school, our recruitment consultants, examination agencies or bodies which award funding or loans such as government scholarship agencies, medical or other qualified professionals. When your personal data is collected from a third party or source, you will be informed if it is required by the GDPR.

### **Purposes of Collection**

The University collects, holds and processes the personal data and special categories of personal data of you in order to process your application to the University, and, if admitted, to complete the registration, visa application, residence application, scholarship processing and other procedures (if relevant), to perform its functions and duties, and to provide the facilities and services associated with your studies at the University. The University also has the statutory and other obligations to provide personal data to government and other relevant bodies in relation to its activities and operations. Without the personal data, the University may not be able to process your

application, provide its facilities and services to you, or meet its statutory and other obligations. Information is utilised by various offices/work units of the University as is necessary and proportionate for our operational purposes (including the performance of academic, education, research and administrative functions).

## **Use of Data**

The University will use personal data (including special categories of personal data) to process your application and/or to administer your study programme, provide facilities, deliver services, and meet statutory or other obligations including:

- communications relating to applications or admissions matters;
- selection decisions regarding admission to the University;
- as evidence for verification of your identity, your qualifications and academic records in relevant institutions and organizations in Hong Kong or other places, and other information provided in the application forms/documents;
- matching procedures and identifying possible multiple applications and records of your previous and existing studies at the University and other institutions;
- maintenance of student admission records;
- admissions research, trend analyses, market analyses;
- transfer of your personal data provided during the application process to the student record system of the University, together with your personal data (including the photo image) provided during registration, to become part of your official students records, and to provide academic services in relation to your degree programme or other academic activity organized by the University, including:
  - student registration;
  - student orientation;
  - investigations into fraudulent claims or documentation, academic and other misconduct/disciplinary issues;
  - decisions about advanced standing and progression arrangements;
  - management of assessment (including examinations);
  - management of academic progression (including mitigating circumstances);
  - monitoring of attendance;
  - academic advising;
  - student learning experiences, and student practical experiences;

- library and IT services;
  - graduation and post-graduation services (such as providing transcripts and other information/services as required);
  - provision of references;
- and non-academic functions, including:
- providing student support services (e.g. medical and health, psychological support and counselling, disability or special educational needs);
  - planning, safeguarding and promoting student welfare;
  - monitoring equality of opportunity and eliminating unlawful discrimination;
  - managing accommodation and other ancillary services (e.g. student ID cards);
  - providing co-curricular learning opportunities and activities;
  - career, internship and placement support.
- managing access to buildings, and resources, including online resources;
  - car parking;
  - ensuring safety, well-being and security;
  - submission, publication and permanent preservation of assignments and theses;
  - financial assessments (e.g. fee status assessments, eligibility for funds, bursaries, grants, awards, scholarships);
  - financial administration (e.g. of application fees, tuition fees, bursaries, grants, awards, scholarships, other University fees);
  - reviews, rankings and accreditation of programmes, units etc.
  - legal compliance and statutory reporting to the government and other relevant bodies;
  - disciplinary matters and dispute resolution.

We may also use your personal data for other purposes, for example: to undertake statistical analyses and reporting, surveys, or other forms of research into academic prediction and progression, trends and market analyses, carry out compliance audits, promote and enhance services, detect, investigate or prevent misconduct, fraud and crimes, and to deal with grievances, complaints, enquiries and disciplinary actions.

In some cases, we may undertake automated decision-making using personal data in the processes. When this has a negative impact on you, we will ensure this decision is checked by a member of staff before processing. If necessary, we may also provide

more information to you according to the GDPR.

Unless otherwise specified, provision of personal data is voluntary. However, failure to provide relevant information when requested, or if you request to delete some or all of your data, may render the University unable to perform the relevant functions (e.g. to consider your application, provide the facilities or services), or to comply with our other legal requirements.

### **Accessing and Updating the Personal Data**

You are able to access and update personal data according to the procedures/requirements of the relevant offices and work units of the University (e.g. the Admissions Office, the Faculty Offices and the Graduate School Office). Please advise us promptly of any changes to your details.

If you have any questions about the personal data we hold, please contact the relevant GDPR Focal Point in the first instance.

### **Legal Bases for Processing the Personal Data**

The legal bases for processing include:

- (a) performance of a contract under which the University provides facilities and services to you or taking steps at the request of you prior to entering into a contract;
- (b) processing activities under a legal obligation (for example, disclosing personal data and special categories of personal data to external parties by compulsion of statutory powers);
- (c) protecting the vital interests of you or another party (for example, disclosures to external parties to ensure the safety, health and wellbeing of individuals);
- (d) performance of a task carried out in the public interest or in the exercise of official authority (for example, collecting or disclosing information in order to meet regulatory or statutory requirements); and/or
- (e) pursuing legitimate interests by the University or by a third party.

In some situations, the University may seek consent from you for processing certain kinds of personal data.

Where special categories of personal data are processed, the legal bases for doing so

will be those provided under the GDPR.

### **Sharing Personal Data with Third Parties**

For purposes referred to in this privacy notice, we may share your personal data with certain third parties. You are given the opportunity to opt-out of some data sharing arrangements, but we encourage you 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. departmental staff, auditors, examination boards, funding, grant or other awarding bodies and testing services such as College Board);
- your school, college and/or training organization, and your referees;
- student sponsors in relation to registration and/or attendance and progress (e.g. donors, government scholarship agencies and other third party sponsors);
- third party education providers (e.g. in relation to co-curricular programmes, collaborative degree or teaching arrangements with partner universities, field trip organizers or placement/internship opportunities);
- providers of financial services engaged by the University, 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. the Hong Kong Institute of Engineers, Nuffic);
- government departments or agencies and other relevant bodies where the University has a statutory obligation to provide information (e.g. the University Grants Committee, Education Bureau, the Immigration Department);
- agencies involved in the prevention and detection of crime (e.g. the Police);
- parents, guardians and next of kin (where there is a legitimate reason for disclosure);
- third parties conducting surveys (e.g. the International Student Barometer).

### **Transfer of Personal Data outside of the European Economic Area (“EEA”) and/or to International Organisations**

If we need to transfer your personal data outside the EEA (e.g., a student exchange

partner university) and/or to international organisations, any such transfer will comply with the requirements of the GDPR. If necessary, you may be informed and your consent may be obtained.

### **Retention of Personal Data**

Subject to any statutory requirements, data will be retained by the University for periods required to meet the purposes and directly related purposes of the collection or creation of such data (e.g. to enable long-term and longitudinal research into student admission and prediction of academic success, long- and short-term trends, and market analyses) to meet legal, accounting, annual reporting and statutory requirements, and/or for public interest (including historical interest).

### **Rights of Data Subjects**

Data subjects have the following rights under the GDPR:

- The right to be informed about which personal data is collected and how it will be used;
- The right to request access to personal data held by the University;
- The right to have incomplete or inaccurate personal data rectified;
- The right to have personal data removed or deleted in certain circumstances;
- The right to restrict or object to the processing of personal data – individuals have the right to block the processing of their personal data by the University in specific situations;
- The right to personal data portability – the right to request provision of some elements of information in digital form in order to provide it to you or to other organisations;
- The right to withdraw a consent previously given.

In the first instance, please contact the above GDPR Focal Point if you would like to discuss any aspect of your rights in relation to your personal data, or exercise these rights. You should note that removal or deletion of personal data may render the University unable to perform the relevant function (e.g. unable to consider your application for admission, or provide facilities or services).

### **Feedback, Concern and Complaint**

If you have any feedback, concern or complaint in relation to the processing of your personal data, please contact the above GDPR Focal Point. If you have a formal complaint, you may contact the Office of the Privacy Commissioner for Personal Data of Hong Kong and/or the relevant supervisory authority.

The University reserves the right to update this privacy policy at any time.

Last updated: 30 September 2021