



Privacy Notice – Hybrid Learning

This is a statement of the practices of Trinity College Dublin, The University of Dublin of College Green, Dublin 2, Ireland (“**Trinity College**” / “**the University**”) when processing personal data for the specific purposes of face-to-face and online synchronous and asynchronous teaching, learning and assessment, including the recording of lectures, tutorials and exams, utilising digital software solutions (“**hybrid learning**”) in light of COVID-19 restrictions to traditional teaching, learning and assessment practices.

Trinity College is mindful of its compliance requirements under data protection legislation and endeavours to safeguard individuals’ rights when processing personal data. As such, any such processing in the context of hybrid learning which results in the capture of individuals’ personal data, such as streaming and recording lectures, tutorials and seminars and the consequent recording of images, voices and other related data, must be carried out in accordance with best practice standards and the University’s Policies and Procedures, and in compliance with relevant legislation.

This notice explains the steps taken by the University to protect the right to privacy of students, staff members and associated individuals (“**data subjects**”) when conducting hybrid learning in accordance with Irish and European data protection legislation and should be read in conjunction with the University’s [General Privacy Notice](#) and [Staff Privacy Notice](#).

Purpose and Legal Basis for processing

Trinity College is committed to ensuring that personal data is processed fairly and lawfully in accordance with the principles of data protection as set out under Article 5 of the EU General Data Protection Regulation (“**GDPR**”).

Personal data

Article 4 GDPR defines personal data as “any information relating to an identified or identifiable natural person”. Trinity College processes certain categories of personal data for the purposes of hybrid learning. These may include name, address, telephone number, e-mail address, user names and passwords, education and training records, assessment and examination scripts and results, date of birth, gender, image, voice, IP address.

Article 6 GDPR requires that Trinity College, as a data controller, must have a valid legal basis in order to process personal data. Trinity College relies on the following legal bases for the processing of personal data for the purposes of hybrid learning.



Process	Purpose	Legal basis for processing under GDPR
Students: In order to complete the registration process, students are required to read and agree to the Terms & Conditions of Being a Registered Student at Trinity annually.	Personal data collected during registration is obtained for the purposes of the provision of education via hybrid learning, and for related administrative and record-keeping purposes.	Article 6(1)(b) GDPR: Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.
Staff / Contractors / Contributors: When commencing employment or engagement at Trinity, staff and contractors are required to sign a binding contract with the University.	Personal data is processed for the purposes of administration of the staff contract of employment / associated individuals' contract and consequent relationship between the individual and the University.	Article 6(1)(b) GDPR: Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.
Processing of data if necessary due to a medical emergency. Processing of personal data to safeguard an individual's vital interests. Processing of data to ensure the continued protection of public health.	Trinity College processes personal data as required to do so under Irish and EU law.	Article 6(1)(c) GDPR: Processing is necessary for compliance with a legal obligation to which the controller is subject. Article 9(2)(g) GDPR: Processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject. Article 9(2)(i) GDPR: Processing is necessary for reasons of public interest in the area of public health.
Hybrid learning, including face-to-face and online synchronous and asynchronous teaching, learning and assessment, including the recording of lectures, tutorials and exams, utilising digital software solutions in light of COVID-19 restrictions to traditional teaching, learning and assessment practices. This practice may result in the capture and recording of individuals' personal data including special category data such as racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, data concerning health or data concerning an individual's sex life or sexual orientation.	Trinity College is required to process personal data in order to carry out the objects and functions of the University pursuant to the Universities Act, 1997. This data may be collected directly from data subjects or from other systems under the control of the University. Detailed information on teaching, learning and assessment is contained in the University Calendar.	Article 6(1)(e) GDPR: Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. Article 9(2)(i) GDPR: Processing is necessary for reasons of public interest in the area of public health.



Special categories of personal data

Article 9 GDPR defines special categories of personal data as personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership, the processing of genetic data or biometric data for the purpose of uniquely identifying a persons, data concerning health or data concerning a natural person's sex life or sexual orientation.

Generally, when processing special categories of personal data for hybrid learning purposes Trinity College will seek explicit consent from individuals under Article 9(2)(a) GDPR except where another legal basis applies.

Details of software providers used for the provision of digital teaching, learning and assessment

Trinity College maintains an onsite [Student Information System](#) (SITS) portal to administer student information. In addition, the University uses the services of third party vendors as listed below for the purposes of hybrid learning. Data which is processed by third parties on behalf of Trinity College is processed under contract in accordance with data protection legislative requirements, specifically Articles 28 and 46 GDPR.

Blackboard Learn is Trinity College's Virtual Learning Environment (VLE) and is used to access lecture notes, online assignments and other activities through Blackboard.

Guide for students: <https://www.tcd.ie/CAPSL/resources/eLearning-students/>

Guide for staff: <https://www.tcd.ie/CAPSL/resources/eLearning-staff/blackboard.php>

Blackboard Collaborate Ultra is a virtual classroom program that facilitates staff and student interaction via voice, videoconferencing, webinars, lecture slides and text chat. Collaborate Ultra can be added to any module in Blackboard and supports up to 500 participants. This software may be used to live stream and/or record online lectures, tutorials, seminars and practicals ("sessions"). These live streams and recordings will contain personal data (for example; images, voices and opinions) of individuals who attend, participate in and contribute to sessions. Any such recordings will be saved to the secure Blackboard VLE and retained for a specific time period in accordance with the University Data Retention Policy. A video overview for students and staff is available on the [Academic Practice & eLearning website](#).

Microsoft Office 365 is supported by Trinity IT Services and includes applications such as Word, Excel, PowerPoint, Outlook, OneDrive, SharePoint, Sway, Forms and Teams and is available for use by staff and students at Trinity College.

Guide for students: <https://www.tcd.ie/itservices/internet/office-proplus.php>



Guide for staff: <https://www.tcd.ie/itservices/staff/email.php>

Microsoft Teams (Office 365) is a collaboration app available as part of the Trinity Office 365 software suite which has been designed for online interaction between groups of people who work together. Its largest benefit is instant communication and the ability to share information and files easily all in one centralised place. Teams can be installed on a computer / mobile device or can be used online through a web browser. This software may be used to live stream and/or record online lectures, tutorials, seminars and practicals (“**sessions**”). These live streams and recordings will contain personal data (for example; images, voices and opinions) of individuals who attend, participate in and contribute to sessions. Any such recordings will be saved to the secure Blackboard VLE and retained for a specific time period in accordance with the University Data Retention Policy.

Further information:

<https://www.tcd.ie/itservices/teams/index.php>

<https://www.tcd.ie/itservices/assets/doc/working-remotely/teams-meetings-calls.pdf>

The Panopto Lecture Capture Service is supported by Trinity IT Services and allows staff to record, edit, share and stream video, audio, Powerpoint and screen capture content for audiences such as colleagues, students, and other third parties or the public. It manages recordings using a cloud based content management storage system. Users can also record from within Blackboard (mymodule.tcd.ie) and post directly to modules. This software may be used to live stream and/or record online lectures, tutorials, seminars and practicals (“**sessions**”). These live streams and recordings will contain personal data (for example; images, voices and opinions) of individuals who attend, participate in and contribute to sessions. Any such recordings will be saved to the secure Blackboard VLE and retained for a specific time period in accordance with the University Data Retention Policy.

Further information: <https://www.tcd.ie/itservices/lecture-capture/>

MyZone - Google Drive and Gmail is supported by Trinity IT Services. Students at Trinity College receive a ‘@tcd.ie’ email address and access to MyZone-Google Drive for life. Google Drive is used to store data files and is part of the G Suite which includes apps such as Google Hangouts and Google Chat. This software may be used to live stream and/or record online lectures, tutorials, seminars and practicals (“**sessions**”). These live streams and recordings will contain personal data (for example; images, voices and opinions) of individuals who attend, participate in and contribute to sessions. Any such recordings will be saved to the secure Blackboard VLE and retained for a specific time period in accordance with the University Data Retention Policy.

Further information: <https://www.tcd.ie/itservices/internet/googledrive.php>



Turnitin - Online assignments using Turnitin within Blackboard allow students to submit essays online and provide instructors with the functionality to give detailed feedback to students using annotations, rubrics, voice recordings and text. Turnitin is supported by Trinity IT Services and is integrated into the Trinity Blackboard Learn VLE, which offers a streamlined process for grading online assignments and checking academic integrity.

Further information: <https://www.tcd.ie/CAPSL/resources/Turnitin/>

TurningPoint is a live polling service which allows presenters to ask interactive questions, track participant progress and receive instant feedback. The service has been integrated with Blackboard Learn so that presenters can easily create and access polls from the VLE.

Further information: <https://www.tcd.ie/itservices/vle/kb/vle-Blackboard-TurningPoint.php>

Zoom - Where Zoom is to be used for online teaching, learning and assessment purposes, a licence should be purchased and managed at School or department level so that the account remains under the control of Trinity College. This software may be used to live stream and/or record online lectures, tutorials, seminars and practicals (“**sessions**”). These live streams and recordings will contain personal data (for example; images, voices and opinions) of individuals who attend, participate in and contribute to sessions. Any such recordings will be saved to the secure Blackboard VLE and retained for a specific time period in accordance with the University Data Retention Policy.

Information on best practice use of Zoom at Trinity College:

https://www.tcd.ie/info_compliance/assets/pdf/Zoom-Data-Protection-Guidance-0420.pdf

Guidance on best practice when recording individuals and safeguarding personal data when conducting online teaching, learning and assessment:

https://www.tcd.ie/info_compliance/assets/pdf/videoconferencing_guidance.pdf

A full list of the Trinity College interfaced systems is available from the [Academic Registry website](#).

Information on the use of Trinity College IT solutions for secure remote working and learning is available from the [IT Services website](#).

Information on data collection and storage when conducting research remotely is available from the [IT Services website](#).

In addition to the systems listed above, individual Schools and Research Units at Trinity College utilise specific software solutions for the purposes of hybrid learning. A list of these systems is available in [Appendix A](#).



Data security

Personal data is stored confidentially and securely as required by the Trinity College [Information Systems Security Policy](#), [Data Protection Policy](#) and [Cloud Computing Policy](#). The University is committed to ensuring that the processing of personal data is safeguarded by appropriate technical and organisational security measures relevant to the processing in accordance with Article 32 GDPR requirements.

Personal data is stored on University premises or on secure IT platforms within the European External Area (“EEA”) or processed in areas outside of the EEA by vendors which are subject to Chapter 5 GDPR requirements.

In light of the judgment of the European Court of Justice in Case C-311/18 Data Protection Commissioner v Facebook Ireland and Maximillian Schrems Trinity College will not rely on the EU-US Privacy Shield as an adequate safeguard for international data transfers.

Further information on IT Security at Trinity College is available from the [IT Security website](#).

Data retention

In keeping with the data protection principle of storage limitation Trinity College retains personal data under the control of the University for as long as is necessary for the purposes of the processing as defined in this notice, in accordance with the University’s [Records Management Policy](#) and [Records Retention Schedule](#).

Trinity College has compiled detailed processing records, in accordance with Article 30 GDPR requirements. For further information on specific processing activities please contact the University Data Protection Officer (contact details below).

Data subject rights under data protection law

Under Chapter 3 GDPR data subjects have specific rights over how personal data relating to them is processed when under the control of Trinity College. These rights are not absolute and are subject to exemptions.

Right of Access - You have the right to request a copy of the personal data which is under the control of Trinity College and to exercise that right easily and at reasonable intervals. You can download a Data Access Request Form from the [University Data Protection webpages](#).

Consent - You may withdraw your consent to Trinity College processing your personal data at any time when consent is the legal basis for the processing. To withdraw your consent, we require you to advise Trinity College in writing.



Rectification - You have the right to have inaccuracies in your personal data that is under the control of the University rectified.

Erasure - You have the right to have your personal data deleted where there no longer exists a legal basis or justification for retaining it, subject to exemptions such as the use of pseudonymised or anonymised data for scientific research purposes.

Object - You have the right to object to the processing of your personal data if the data is processed 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, or the personal data was processed for the purposes of direct marketing or profiling related to direct marketing.

Restriction - You have the right to restrict the processing of your personal data if you are contesting the accuracy of the personal data, the personal data was processed unlawfully, you need to prevent the erasure of the personal data in order to comply with legal obligations or you have objected to the processing of the personal data and wish to restrict the processing until a legal basis for continued processing has been verified.

Portability - Where it is technically feasible you have the right to have a readily accessible machine readable copy of your data transferred or moved to another data controller where we are processing your data based on your consent and if that processing is carried out by automated means.

For further information on data subject rights please see the Trinity College [Data Subject Rights Requests Procedure](#) or contact the University Data Protection Officer.

Further information

Detailed information on teaching, learning and assessment under Covid-19 is available from the [Academic Practice & eLearning website](#).

If you have any queries relating to the processing of your personal data for the purposes as specified in this notice or you wish to make a request in relation to your rights you can contact the University Data Protection Officer:

Data Protection Officer
Secretary's Office
Trinity College Dublin
Dublin 2
Ireland

Oifigeach Cosanta Sonraí
Oifig an Rúnaí
Coláiste na Tríonóide, Baile Átha Cliath,
Baile Átha Cliath 2
Éire.

Email: dataprotection@tcd.ie



Trinity College Dublin
Coláiste na Tríonóide, Baile Átha Cliath
The University of Dublin

If you are not satisfied with the information we have provided to you in relation to the processing of your personal data for the purposes as specified in this notice or you are dissatisfied with how Trinity College is processing your data you can raise a concern with the Data Protection Commission at: <https://forms.dataprotection.ie/contact>.

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