



# ODeL-Privacy Guidelines Manual for Online Learners

## Who we are

**Masinde Muliro University of Science and Technology** are a 'Data Controller' and are responsible for, and control the processing of your Personal Data.

You can contact us at email **info@mmust.ac.ke**, **P.O. Box 190-50100**, **Phone No: +254 057 2505222**. Our Data Protection Officer can be contacted at **mmusiambo@mmust.ac.ke**

This privacy notice is for the **Masinde Muliro University of Science and Technology**, Online Distance learning Programme. We have partnered with an external organization, Higher Education Partners (HEP) to carry out this function. The notice explains how we collect and process your personal data, whether it be for general enquiries or personal data for applications or enrolment.

## How We Use Your Data

We will collect and process your personal data for a number of related reasons. Please see all of our purposes listed below:

Purpose	Lawful Basis (Reason)
To respond to your enquiries and fulfil your requests, when you contact us via one of our online contact forms or otherwise, for example, when you send us questions, suggestions, or complaints.	Legitimate interest
To send you marketing related emails, with information about our services and other news about us.	Consent <ul style="list-style-type: none"><li>i) Data Protection Action 30. (1) A data controller or data processor shall not process personal data, unless — (a) the data subject consents to the processing for one or more specified purposes</li><li>ii) (ICT Authority Information Security Standard Guideline). Collection, or attempts to collect, personal information about third parties, without their knowledge or</li></ul>



	consent, is prohibited and may constitute a violation of Ministry, Counties, Departments and parastatals privacy policies and agreements
Assessing your eligibility to be offered a place on one of our online academic courses and programs	Necessary for a contract or entering into a contract
To complete your transactions, and provide you with related assistance in relation to your application.	Necessary for a contract or entering into a contract
Provision of your course of study during your period of enrolment.	Necessary for a contract or entering into a contract
Making reasonable adjustments for disabilities and providing relevant support to students or applicants with ill health	Substantial public interest – specifically support for individuals with a particular disability or medical condition
Assessment of academic progress and performance (including attendance)	Necessary for a contract or entering into a contract
To provide you with support and pastoral services throughout your course of study.	Necessary for a contract or entering into a contract
Administration of complaints, grievances and appeals	Necessary for a contract or entering into a contract
Obtaining payment of fees	Necessary for a contract or entering into a contract
Communication directly to students for the purposes of student experience and to communicate updates to documents such as terms and conditions and policies	Legitimate Interests
For audit purposes and to verify that our internal processes are compliant with legal, regulatory or contractual requirements.	Legal obligation
Fraud and security monitoring purposes, including to prevent cyber-attacks.	Legitimate Interest



Developing, enhancing, improving, or modifying our current services, identifying usage trends and determining the effectiveness of our promotional campaigns, so that we can adapt our campaigns to the needs and interests of our users.	Legitimate Interest
Automated decision making and profiling for business reporting and providing personalized services to you tailored to your interests.	Legitimate Interest
Market research and surveys	Necessary for the legitimate interests of planning and developing the University's operations.
External Reporting including to OfS and its agencies	Legal Obligation

We will always highlight areas where we need to ask for your consent as the lawful basis and will give you the choice to opt-in. If you do consent or opt in, we will let you know how you can opt out in the future. We will not process your personal data for any other purpose other than those stated above without informing you first.

We may use your data for reporting purposes to improve targeting, personalization and overall effectiveness of marketing activity. If we do this we will either aggregate your data or anonymize it to ensure you cannot be identified.

## Information We Collect

The vast majority of information that we process about you will be provided by you, typically by one of the following methods including:

When you submit your details on the request information form on our website or paid traffic landing pages, by applying for admission via our online application form; and when you contact us by phone and provide information to one of our enrolment advisors. All our phone conversations are recorded for training and quality purposes.

We may get additional information from your referee or employer where one is required. Information provided by you will include details such as:



- First Name
- Last Name
- Other names used
- Postal address
- Email address
- Telephone number
- Mobile number
- Nationality
- Country of residence
- Second Nationality
- Gender
- Date of birth
- IP Address
- Financial data
- Disability
- Educational records and qualifications, including higher and further education institutions attended, dates of attendance, degree programme titles, subjects and grades
- Higher and further education transcripts and certificates
- Work history – including employer, job title, responsibilities, location and dates in role
- School type of data subject
- Confirmation of whether English is first language
- Membership of professional or industry associations

We are required to collect your personal data in order to provide the requested services to you and facilitate your application process. If you do not provide the information requested, we may not be able to provide our services or consider you for admission. If you disclose any personal data relating to other people to us or to our service providers in connection with our services, you represent that you have the authority to do so and to permit us to use the information in accordance with this privacy notice.

## Who We Share Your Personal Data With

Information is shared with relevant departments within the University for the purposes outlined above. In addition, specific data may be obtained from and shared with the following parties for the purposes specified:

Recipient or Source	Purpose and type of data	Lawful Basis
Third parties such as auditors or legal entities	Other third parties may include auditors to facilitate auditing purposes, or parties which may assist us to enforce our terms and conditions.  <i>(Data Protection Act 30. (1) A data controller or data processor shall not process personal data,</i>	Legal obligation



	<i>unless — (b) (ii) for compliance with any legal obligation to which the controller is subject ; )</i>	
External Statutory Reporting	Transparency Return including identifiable personal data and special category data.	Statutory requirement
Educational Institutions	Verification of qualifications – Grades and transcripts of grades achieved	Necessary for a contract or entering into a contract
Student Loans Company/Other funders	To facilitate the payment of funds – Contact and payment details  <i>(The Data Protection Act 30. (1) A data controller or data processor shall not process personal data, unless — (b) the processing is necessary — (i) for the performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject before entering into a contract; )</i>	Necessary for a contract or entering into a contract
Organizations with enforcement powers.	To comply or assist with requests in accordance with their enforcement powers  <i>(The Data Protection Act 28. (1) A data controller or data processor shall collect personal data directly from the data subject. (2) Despite sub-section (1), personal data may be collected indirectly where — (ii) for the enforcement of a law which imposes a pecuniary penalty; )</i>	Legal obligation

We will ensure that we have a robust data processing agreement in place with any third-party data processor we use. We will only share the minimum amount of personal data with any of the above and will always do so in accordance with the law.

Higher Ed Partners uses third parties for services such as website hosting, contact centers, information technology and data analysis.

We will ensure that Higher Ed Partners have robust data processing agreements in place with any third parties within the EEA, as well as Standard Contractual Clauses or Binding Corporate Rules with any third parties based outside the EEA.

## Retention



- Successful application data will be retained for six years from the end of the current academic year.
- Unsuccessful application data will be retained for one year.
- Enquiry data will be retained for three years.
- Telephone recordings will be retained for one year.
- Enrolment data will be retained for ten years following the end of your course.

## Your Individual Rights

As an individual, you have a number of rights available to you. To find out more about how you may exercise those rights, for example, The Right of Subject Access: obtaining a copy of your information which we may hold; The Right to Rectification: correcting any mistakes or completing the information we hold about you; or The Right to Object to Automated Individual Decision-Making please see our Data Protection web pages available here or the ICO website for more information.

If you no longer want to receive marketing-related emails from us on a going-forward basis, you may opt-out by following the instructions contained in each such email or by contacting us at [dataprotection@higheredpartners.co.uk](mailto:dataprotection@higheredpartners.co.uk).

## How to Complain

If you have any queries, concerns or believe that your Personal Data is being handled in a manner which is contrary to statutory requirements, you may wish to contact the **Masinde Muliro University of Science and Technology** Data Protection Officer via [mmusiambo@mmust.ac.ke](mailto:mmusiambo@mmust.ac.ke)

You also may lodge a complaint with a data protection authority for your country or region or where an alleged infringement of applicable data protection law occurs.