

UNIVERSITY OF ESSEX

ETHICAL USE OF DATA POLICY

JUNE 2018

1. Purpose and aims of the Policy

- 1.1. The University's mission is underpinned by our institutional commitments to excellence in research and excellence in education, the delivery of a transformative education and putting students at the heart of everything we do. The University places great value on supporting its students to succeed and to empower them to take active responsibility for their own learning. Student engagement information plays an important role in supporting both students to achieve and academic staff to deliver educational excellence.
- 1.2. The Ethical Use of Data Policy ("the policy") describes the University's approach to using student data for the purpose of learner analytics and is underpinned by the University's commitment to using such data in an ethical manner that is beneficial to students. Learner analytics can help inform how our transformational education is achieved, through teaching and assessment, and to identify points on the study path where individuals or groups may need additional support, for example, in relation to curriculum design, feedback systems, contact and interventions with students to check that all is well and to offer appropriate information, advice and guidance.
- 1.3. The University's approach aims to recognise students as real, diverse individuals, to support independent learning and to emphasise the partnership between the University and its students. It is recognised that data can never give a complete picture of an individual's learning and their potential and may sometimes miss important information related to personal circumstances. The University's approach ensures that trends, norms and categorisation of students do not result in bias, reinforcement of negative learner perceptions or behaviours towards them or discriminatory attitudes.
- 1.4. Analytics data and systems are always used as a tool to support students and never as a replacement for human interaction, human decision making or human relationships. Analytics systems and interventions are carefully designed and reviewed in consultation with staff and students and all aspects of performance review, probation and promotion for academic staff continues to be subject to existing Senate approved policies and principles.

2. Scope of the Policy

- 2.1. This policy covers all uses of learner analytics at the University.
- 2.2. Data used for learner analytics purposes are student activity data that are already collected for other purposes, such as modules being studied, coursework marks, attendance at timetabled events and use of Moodle to access coursework.
- 2.3. A full list of the data used are published on the LEAP (Learner Engagement Activity Portal) website and are updated as new data sources are added. Data sources will only be added where there are clear benefits to students in terms of potential to provide better support. New data sources are agreed by the Academic Registrar or nominee following appropriate consultation, including with the Students' Union.

3. Principles Supporting the Use of Data

- 3.1. The University is committed to using student data in ways that are ethical, beneficial, legal and proportionate. To ensure that learner analytics activities meet this commitment, the policy is underpinned by a set of six guiding principles:

3.1.1. Transparency

The University will be open and transparent about the data that it collects and how the data are used. The data sources, including new data sources that may be used in future, the purposes of the analytics, who has access to the analytics, the processes involved in producing the analytics and how to interpret the data will be explained clearly to staff and students. Interpretation of data will be shared with students unless there are sound pedagogical reasons to do otherwise. Records of processed data will be maintained in accordance with agreed policy and procedures.

3.1.2. Student Benefit

The University will use the data it collects for the benefit of students, for example by providing staff and students with access to student activity data and helping both groups to use this information to support student success and wellbeing. Data will not be used to limit the choices that students are offered in accordance with our policies and procedures or to discriminate against any individual students or groups of students. While data will guide the University to make timely and appropriate interventions for identified groups, all students will continue to be treated as autonomous individuals with the right to make choices for themselves. Students will be actively involved in helping to design and shape the interventions that will support them.

3.1.3. Privacy

All personal data will be managed in accordance with the General Data Protection Regulations. Where a potential risk to privacy exists, a Privacy Impact Assessment will be undertaken. Where students are given access to data in order to compare their own progress and achievements with those of others for pedagogical reasons, the data will always be presented in such a way that individuals cannot be identified.

3.1.4. Training, Guidance and Support

Staff who have access to data will have training and support to help them understand what the data mean and the limits of what the data can tell them. Students who have access to data will have access to guidance and support to help them understand what the data show, decisions they can make, and decisions others may make, based on the data. Student data and any system that processes data or creates or suggests interventions will be treated as a tool for use by those who support students. It will never be a replacement for the human relationships that are a necessary part of delivering a transformational education with students at its heart.

3.1.5. Accuracy, Access and disclosure

Students will continue to have the right to access data about them in an easily understandable form and to correct data where evidence is available that there are errors. The process for amending or challenging inaccurate data will be widely publicised to students and will be straightforward and easy to access. Access to student data by staff will be limited to those who have a legitimate need to have access and, wherever practicable and necessary, the data will be anonymised. Data will be provided to third parties only where the University is obligated by legislative or statutory requirements or where appropriate consent has been provided. Data sets will never be shared with commercial companies and individual student data will never be shared with commercial companies without the student's explicit consent, (for example to support the provision of an academic or job reference)

3.1.6. Responsibility

Areas of responsibility for all activities relating to learner analytics should be clearly defined and assigned to specific individuals and groups. The Pro-Vice-Chancellor (Education) has overall responsibility and accountability for the use of learner analytics at the University.

4. Implementation

- 4.1. The content and purpose of this policy is made available to students and staff via multiple communications channels that are easily accessible.

4.2. Operation of the policy includes a clear, simple process for correcting inaccurate data where required, which is widely publicised.

4.3. A list of the data used for learner analytics purposes are maintained on the LEAP system website and updated as required. This list includes information about how the data are used.

5. Policy Oversight and Review

5.1. On behalf of the University Senate, the Academic Registrar is responsible for ensuring that the policy operates effectively and is reviewed appropriately and remains fit for purpose in meeting its aims and supporting the University's mission.

5.2. The policy is subject to annual review by the appropriate Committees of Senate to ensure it continues to meet its aims and the University's strategic and operational requirements and sooner if circumstances require it, with changes considered and approved by Senate and its sub committees as appropriate.

5.3. Any policy review includes appropriate consultation with students, staff and other relevant stakeholders.

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