



## Brightspace Data Privacy Statement

This document is for informational purposes only and does not constitute legal advice.

### Introduction

*UCD fully respects your right to privacy and actively seeks to preserve the privacy rights of those who share information with the University. Any personal information processed by the University will be treated in accordance with the relevant data protection legislation.*

*This statement relates to the University College Dublin (UCD) virtual learning environment, Brightspace, which is developed, hosted and supported by Desire2Learn (D2L). Brightspace forms part of how UCD discharges its educational remit. The relationship between UCD and Brightspace is a contractual one, which includes special considerations in terms of data protection.*

### Legal Basis

The legal basis for processing the personal data which you provide as a student in Brightspace is 'public task'. It is mandatory for you to engage with your module learning requirements in Brightspace, in order for you to complete your educational programme in UCD.

### Collection and use of personal information

Some data, including personal data, is processed for operational purposes and to manage the educational experience. Information on Brightspace activity is collected routinely by UCD and by its service provider, D2L, in order to provide a virtual learning environment (VLE) for UCD faculty, staff and students. D2L does not collect, use or disclose personal information except to carry out its obligations to UCD. As a VLE, Brightspace allows faculty and users with instructor privileges to provide learning resources, assignments, quizzes, discussion fora and other learning activities as well as scoring, grading and giving feedback on student performance in those activities. Brightspace facilitates student engagement with content and other learning activities such as assignments and quizzes. It collects data on student grades and usage such as date and time of access and IP address. All such data is retained for a period of 13 months in order to retain assessed work and outcomes as per the UCD Assessment Code of Practice

Users should be aware that any personal identifying information posted to shared areas of Brightspace, such as the discussion boards, chat rooms and virtual classroom recordings, is available for use by others. UCD cannot prevent this. Users should not post personal or sensitive information to any part of Brightspace or add links to inappropriate or unsuitable content. UCD reserves the right to monitor user activity in Brightspace, and where necessary to take appropriate action. UCD is not responsible for the content of any websites linked from Brightspace, or for personal information disclosed by individuals themselves. All use of Brightspace and associated services must be in accordance with the UCD Information Technology Services Acceptable Use Policy.

Brightspace exchanges data with other systems provided by UCD and third party systems which are integrated into Brightspace. Information on Brightspace activity may be aggregated with data from these systems in order to review aspects of courses, monitor student engagement and progress, and manage university resources more efficiently. UCD may also collect anonymised data on Brightspace usage for statistical purposes or administrative functions. In exceptional cases permitted by data protection laws, UCD may disclose data without user consent or notice, for example, if it is required to investigate offences, to prevent injury or damage or to comply with a legal obligation.



This privacy statement, in conjunction with Desire2Learn's Privacy Policy, applies to the use of Brightspace by the staff, students and authorised affiliates of UCD. Any data supplied to Brightspace Learning Environment is stored within the European Union (EU) in accordance with the General Data Protection Regulation (GDPR) and processed in accordance with the Data Protection Act 2018. In some instances, Schools or Units have opted to combine Brightspace with further specialised add-ins, to enrich their students' learning experience. Some of those functionalities are provided by non-EU based providers. In such cases the Schools/Units have entered into appropriate contractual relationships with the providers, which also address the management of the personal data processing involved. Where such add-ins are used, students will be informed by the School or Unit concerned.

## Cookies

Cookies are small pieces of data placed on your web browser by the web sites you visit. Their use within the EU is governed by the Cookies Directive - Directive 2009/136/EC, which amends Directive 2002/58/EC. It provides that "the storing of information or the gaining of access to information already stored, in the terminal equipment of a subscriber or user is only allowed on condition that the subscriber or user concerned has given his or her consent, having been provided with clear and comprehensive information".

Certain cookies are essential to the proper functioning of UCD systems, for example, cookies enable UCD users to access Brightspace through single sign on (SSO) using their UCD Connect Id. The use of these functional cookies does not require consent, as they are necessary for the delivery and security of the service. The use of cookies on UCD systems is described in detail on the UCD cookies page.

Brightspace uses cookies for essential functioning, performance monitoring and enhanced functionality as described in detail on the D2L cookies page. While essential cookies can be blocked in a browser, some parts of Brightspace will not then work. These essential cookies do not store any personally identifiable information.

## Data Retention

The University will retain your personal data in Brightspace for no more than 180 days after you graduate your programme or the end of your relationship as a student with UCD.

## Your Rights

Pursuant to the Data Protection Act 2018 and the General Data Protection Regulation (GDPR) you have the following rights:

- Right to access
- Right to rectification
- Right to erasure if data is incorrect or no longer needed
- Right to limit or restrict how personal data are used
- Right to data portability
- Right to object to processing
- Right not to be subject to automated decisions

Some of these rights are not absolute rights and do not apply in all situations.

If you want to make use of your rights, please contact the Brightspace administrator at [www.ucd.ie/ithelp](http://www.ucd.ie/ithelp) and select "Get Help". If you have concerns about your rights as a UCD Brightspace user, you can contact the UCD DPO by email [gdpr@ucd.ie](mailto:gdpr@ucd.ie).



If you are not satisfied with UCD's response or believe we are not processing your personal data in accordance with the law, you have the right to complain to the Irish Data Protection Commission. For more detail see <https://www.dataprotection.ie>

This statement should not be construed as a contractual undertaking.

The University will review and update this statement as appropriate. Therefore, you should revisit this page from time to time.