

Determining who needs to know about personal data

Guidance for staff and students

This guidance is for staff and students who need to know when they can share personal data with others.

Principles for determining the need to know

Personal data should only be processed by the people that need to process it. Processing includes sharing the personal data. The following questions should be considered when deciding whether personal data can be shared or not.

1) What is the purpose of the personal data requested?

To process personal data, there needs to be a reason for it. Legally we have to identify a lawful basis, but more generally, we cannot just share personal data without a reason.

So you are fully justified in asking someone why they need the personal data. If it is because they cannot do a particular (legitimate) task without it, go to question 2). If they are just curious, you are justified in saying no. If what they want to do is illegal, e.g. not for the School's purposes, this is a potential breach and should be reported to the Data Protection Officer.

2) What level of personal data is required for that purpose?

If the purpose is genuine and legitimate, you then need to consider how much personal data is needed for that purpose. Most times, statistics which do not identify the data subjects will be fine e.g. for Freedom of Information requests or to put on the website. Sometimes though, you will need to share identifiable personal data though this should be kept to the minimum needed for the purpose e.g. the relevant document or data rather than everything you hold on that person. It is unlikely you would need to provide everything you hold except for subject access requests or legal cases.

So you are justified in asking someone to specify what data they need and only providing that particular data.

3) How sensitive is the personal data?

Special categories personal data can only be processed under their own lawful bases set out in [Article 9 of the GDPR](#). They require particularly sensitive handling. Statistics should be checked so that they cannot be used to identify the individual concerned e.g. a list of students by nationality which shows one is from

Ghana would need to be adjusted so that student is not singled out. The purpose for sharing must be explicitly explained, genuine and legitimate.

4) Have data subjects been told about the sharing? Alternatively, have they been promised it won't be shared?

The School's privacy notices tell different audiences such as staff and students how we will share their data with. So if we can point to the privacy notice and say we did say we were going to do this, you are in a stronger position to share the personal data.

If this is a new type of sharing, you will need to let the data subjects know about it. See the guidance on creating privacy notices.

However, if you have promised you will not share personal data, you cannot share it, unless you go back to the data subjects and ask if you can. If they say no, you cannot share it.

5) Is sharing internal to LSE or external?

It is easier to share identifiable personal data internally rather than externally. There is less likelihood of a transfer outside the School's systems and it is more likely that data created or received by one part of the School could be useful for another e.g. a student change of address.

However, even this should be done carefully for some information (see Section 3 above). Information can be shared externally where it is statistical, the data subject knows about the sharing e.g. research subjects who know that research is being carried out with another university or where the data subject has agreed to it.

Please note, if you put personal data into a public generative AI tool, you are technically sharing it so need to be certain you can legally justify this type of sharing.

6) Is it the data subject asking for it?

If yes, we are required to give them a copy of their data. If not, but they have something in writing from the data subject saying we can share, we can share it with them. If not and they have no written permission from the data subject, then no sharing can take place.

To summarise

You can determine if a person needs to know the personal data if:

- They can show they have a genuine and legitimate purpose
- They have specified exactly what information they require for that purpose
- They have shown why they need sensitive or special categories personal data specifically
- Data subjects have been told about the sharing so expect it to occur
- It is another staff member asking (as long as the points above are met)
- It is the data subject or their representative asking

If you have any further questions, please contact the Data Protection Officer Rachael Maguire via glpd.info.rights@lse.ac.uk.

Review schedule

Review interval	Next review due by	Next review start
3 years	30/11/2027	1/11/2027

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1.0	22/10/2018	IGMB	
1.1	05/10/2021	IGMB	3 yearly review
1.2	21/10/2024	IGMB	Minor changes

Contacts

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Communications and Training

Will this document be publicised through Internal Communications?	Yes
Will training needs arise from this policy	No
If Yes, please give details	