



Privacy Notice for Students Darlington College July 2020

Notice about how we use your personal information

We are the data controller of personal information about you. We are: Darlington College. Our address is: Central Park, Haughton Rd, Darlington DL1 1DR

Our Data Protection Officer is Andrew Hayday, Director of Finance and Corporate Resources. If you have any questions about this policy or the ways in which we use your personal information, please contact our Data Protection Officer at Central Park, Haughton Rd, Darlington DL1 1DR tel: 01325 503083; email: ahayday@darlington.ac.uk

This privacy notice has been prepared in accordance with the General Data Protection Regulation (EU) 2016/679 ("GDPR") and the Data Protection Act 2018.

The information that you give us

As part of your admission to the College we may collect your personal details including: name, address, date of birth, telephone number, email address, national insurance number, first and second language, employment data, dates of attendance, exam/test results, religion, ethnicity, health information (including mental health), doctor's details, behaviour record, sex-related information, genetic data, learning difficulty, disability, special needs details, residency status, household situation, benefits received, criminal convictions, sports team membership, photo, funding information, bank details, pre-pay card information (to use in cafeteria), free school meals and bursaries.

As part of the delivery of our courses to you, our staff will collect (e.g. for marking purposes), the work that you create as well as images, films and audio recordings. In addition, when you use the IT systems we provide you with access to, we will process the data you input.

To maintain our Alumni network we collect and hold the following information about you: name, address, date of birth, sibling details, former school and employment, positions and interests held at school and work and reports.

The uses made of your personal information

We will use your information to manage and administer your education. This will include: putting together class lists, trip lists, sending event invitations, communicating with you, dealing with admissions, putting together reports and registers, checking entrance exam results, allocating you to the correct classes for assessments, making arrangements for exams or visits, considering whether to offer places to students, considering whether special provision or assistance is required for exams and visits, being able to tell other colleges and educational organisations your attendance dates if you leave, reports, employer information (for example for apprentices and day release students) and identifying pupils who cannot be used for marketing photos. We will use your information for the purposes of teaching you and

measuring your achievements. We will use your information to manage and administer our Alumni network. This will include: photography, film and audio.

The legal basis on which we collect and use your personal information.

Generally, the information is processed as part of our public interest task of providing education to you.

Where that information is special category personal information (e.g. medical information) we will process it because there is a substantial public interest for us to do so.

Where you have previously studied at the College or commenced an application process with us before, then we will send you information about the courses we provide on the basis of our legitimate business interests. In doing so, we will comply with the requirements of the “soft opt in” and offer you an opportunity to refuse marketing when your details are first collected and in subsequent messages (by way of own unsubscribe). Any other marketing we carry out will be on the basis of consent.

How long we keep your personal information.

Your personal information will be kept for various periods of time according to our retention of documents policy.

How we share your personal information.

As an education institution receiving public funding, we may be required to share personal data with local and national government bodies and public sector agencies such as:

- Department for Education (DfE)
- Department for Business, Innovation, and Skills (BIS)
- Ofsted
- Education & Skills Funding Agency (ESFA)
- Department of Health (DH)/Primary Care Trusts (PCT) to meet health and safety obligations including reporting any legally notifiable disease
- Learning Records Service (LRS)
- Local Authorities
- Job Centre Plus
- Schools and Nurseries
- Higher Education establishments
- Parents/Guardians/Carers for those under 18 or those classed as vulnerable adults
- Awarding/EPA Organisations

We may also share your personal information with third parties who provide services to the College, such as:

Organisation / type of organisation:

- Employers if you are an apprentice or you attend an industrial placement.
- Haven – pre-pay card information (to use in cafeteria)
- CPOMS – safeguarding and child protection
- The Skills Network – e-learning courses
- Construction Industry Training Board (CITB)
- Public Service organisations
- Care home and Health establishments
- Training providers
- Centre for Research in Mathematics Education, University of Nottingham
- Management Information Service (MIS) Provider

Service:

- Providing part of the training and learning for the course/apprenticeship that you are attending.
- Providing services such as pre paid catering cards
- Ensuring all students are safeguarded
- Helping you to progress to and from other organisations
- Research to help you succeed in your chosen course
- Helping you find employment or work experience
- Receiving information from schools to help you progress in your training and studies
- Ensure your data is being processed accurately and securely
- Providing accreditation for your training.

We may also provide information to your employer or other organisations such as local authorities if they are paying for the course as they are the purchaser of our service and they require information on attendance and progress.

We do not store or transfer your personal data outside Europe.

WILL WE MONITOR YOUR USE OF THE COLLEGE'S COMPUTERS?

We keep an eye on how you use the College's equipment and computers and what websites you go on when you are browsing the internet at College. This is because we have legal obligations to protect you, and we also have a legitimate interest in making sure you are using our computer equipment correctly and that you are not looking at any inappropriate content.

If you want to browse the internet privately, you will need to use your own devices which are not linked to the College's network or internet connection.

YOUR RIGHTS OVER YOUR PERSONAL INFORMATION

You have a number of rights over your personal information, which are:

- the right to make a complaint to the Information Commissioner's Office (ICO) if you are unhappy about the way your personal data is being used – please

refer to the ICO's website for further information about this (<https://ico.org.uk/>);

- the right to ask us what personal information about you we are holding and to have access to a copy of your personal information;
- the right to ask us to correct any errors in your personal information;
- the right, in certain circumstances such as where our use of your personal information is based on your consent and we have no other legal basis to use your personal information, to ask us to delete your personal information;
- the right, in certain circumstances such as where we no longer need your personal information, to request that we restrict the use that we are making of your personal information;
- the right, in certain circumstances, to ask us to review and explain our legitimate interests to you; and
- the right, where our use of your personal information is carried out for the purposes of an agreement with us and is carried out by automated means, to ask us to provide you with a copy of your personal information in a structured, commonly-used, machine-readable format.

CHANGES TO OUR PRIVACY POLICY

We keep our privacy policy under regular review. Any changes we make to our privacy policy in the future will be notified to you by email.

LRS Privacy Notice Dec 2018

The information you supply is used by the Learning Records Service (LRS). The LRS issues Unique Learner Numbers (ULN) and creates Personal Learning records across England, Wales and Northern Ireland, and is operated by the Education and Skills Funding Agency, an executive agency of the Department for Education (DfE). For more information about how your information is processed, and to access your Personal Learning Record, please refer to:

<https://www.gov.uk/government/publications/lrs-privacy-notice>

ESFA Privacy Notice April 2019

The Education and Skills Funding Agency (ESFA) is an executive agency of the Department for Education (DfE). This privacy notice explains how we use your personal information. For the purposes of relevant data protection legislation, the DfE is the data controller for personal information processed.

How we use your personal information

The ESFA is responsible for funding education and skills in England for children, young people and adults. It is also responsible for delivery of key services in the education and skills sector in England including the apprenticeship service, the provision of information, advice and guidance through the National Careers Service, and the Learning Records Service. We may use your personal information in our delivery of this work.

How we collect your personal information

We collect your personal information where the law allows it, or we have a legal obligation to do so. Your personal information is collected to enable us to carry out the functions of the DfE.

The lawful basis for collecting and using your personal information will depend on the service and will normally be:

- where we need to for the purposes of Department for Education functions
- where we have your consent to do so
- where we have a legal obligation

If we are processing your personal information using your consent, you can withdraw your consent at any time.

Personal information is provided directly by you:

- face to face
- over the telephone
- via websites or subscribe to our mailings
- in emails

We may collect personal information about you from other systems or organisations funded by ESFA and from organisations that introduce you to us; so that we can make contact with you.

How we share your personal information

We may share your personal information with other services run by the ESFA, other parts of the DfE, and partner organisations, where the law allows it or we have a legal obligation to do so:

- with a third party who is working for ESFA under contract
- with organisations for the purposes of:
 - administration
 - provision of career and other guidance
 - statistical and research purposes, relating to education, training, employment and well-being prevention or detection of crime

Other organisations include:

- Department for Work and Pensions

- Local and Combined Authorities in England
- Greater London Authority
- Higher Education Statistics Agency
- Office for Standards in Education
- Institute for Apprenticeships
- educational institutions and organisations performing research and statistical work on behalf of the Department for Education, or partners of those organisations

How long we will keep your personal information

We will only keep your personal information for as long as we need it after which it will be securely destroyed.

We may need to keep your personal information indefinitely for research and statistical purposes. We will put in place necessary measures to safeguard this information.

Your data protection rights

You have the right:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If we are processing your personal information using your consent, you can withdraw your consent at any time.

If you need to contact us regarding any of the above, please do so via [DfE](#).

Contacting us about your information

If you would like:

- more information about how we process your personal information or your data protection rights
- to make a request about your information – for example to request a copy of your information or to ask for your information to be changed
- to contact our Data Protection Officer

You can contact us using our secure [online contact form](#) or by writing to:

Ministerial and Public Communications Division
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

You also have the right to complain to the Information Commissioner's Office. Find out on their website how to [report a concern](#).

Further information on processing your information

Learner information

- Personal information is collected by the ESFA in accordance with the terms and conditions of funding imposed on providers of learning, for example, further education colleges and private training organisations. Your personal information is processed by the DfE, and by those third party organisations when they process your information on behalf of the DfE, to enable the DfE to carry out its functions.
- Learner information collected by the ESFA is known as the Individualised Learner Record (ILR). The specification and standards for the ILR are published for each academic year (1 August to 31 July) by the [ESFA](#). This specification provides more information about the use of your information.
- Some learning is funded by other public authorities where it is necessary to share learner information with those organisations in order that they can carry out their functions, as follows:
 - Department for Work and Pensions, for European Social Fund funding
 - Mayoral Combined Authorities and the Greater London Authority, for devolved adult education budget funding
- Learner contact information collected by the ESFA may be used for the purposes of research and surveys to enable the DfE to carry out its functions or, where learning is funded by the European Social Fund (ESF), for the Department for Work and Pensions to carry out its functions. This contact information will only be used for the purposes of other research and surveys with the consent of the learner.
- Learner information is also collected and supplied to the Learning Records Service, a part of the ESFA. Your information is used by the ESFA to issue learners with a Unique Learner Number, and to create and maintain your Personal Learning Record. More information about this use of learner information is published by the [Learning Record Service](#).

Apprenticeships

- As part of this service, individuals can apply for and be kept informed of apprenticeship opportunities. Your personal information is processed to match registered candidate requirements to vacancies for apprenticeships, including for those employers or providers offering a guaranteed interview scheme. Learning providers may act on behalf of employers to sift and shortlist candidates for interview that meet the criteria set by the employer. This service also enables the ESFA and organisations funded to deliver the National Careers Service, and the Department for Works and Pensions (including Jobcentre Plus), and their employees or agents to

search for apprenticeship vacancies and pass details to citizens and clients for the purpose of providing careers advice and guidance.

- If you start an apprenticeship, your information is supplied to us by your employer to enable the DfE to carry out its functions. When you complete your apprenticeship, your information will also be shared with:
 - an organisation appointed by your employer to assess the training that you receive
 - an organisation under contract to the DfE to issue you with an apprenticeship certificate
- This sharing is undertaken to enable the DfE and the Institute for Apprenticeships to carry out their functions.

National Careers Service

- The ESFA encourages participation within further education and learning through the provision of career information and advice services. Data is collected to enable delivery of the services requested. Some optional demographic information (for example, ethnicity, declared disability) is requested to enable the ESFA to monitor the performance of the service against equality and diversity objectives, and to ensure that the ESFA is targeting the service to meet priority audience groups.

Further details about the service are provided on the [National Careers Service website](#).

Bursary for Vulnerable Group Scheme

The Bursary for Vulnerable Group Scheme uses the information you give to decide if you are eligible for a bursary under the scheme eligibility criteria. The information collected by your educational institution will include your name and contact details and whether you are:

- a care leaver
- getting Income Support, or Universal Credit because you're financially supporting yourself or are financially supporting yourself and someone who is dependent on you and living with you, for example, your child or your partner
- getting Disability Living Allowance or Personal Independence Payments and Employment and Support Allowance or Universal Credit

To enable the delivery of this scheme your personal information may be shared with ESFA and the provider administering the scheme for the purposes of administration, as the law allows in order for the Department for Education to perform its function.

Sharing data

- In order for the DfE to carry out its functions:
 - the ESFA and training providers share data to ensure accuracy of information held in relation to the funding of learning - a training provider may need to

- share your information with another training provider in order to verify accuracy of information in relation to a claim for funding from the ESFA
 - your personal information may be shared with another training provider for the purposes of your continued learning
-
- In the event that a further education college or other training provider is unable to continue the delivery of training funded by the ESFA (for example, where a training provider is a limited company that is dissolved) the ESFA will endeavour to make arrangements for the secure transfer of information, including your personal data, from the former training provider to another training provider to support your continued learning. It may also request information from Awarding Organisations to establish at what stage your learning has reached according to their records.