

## Privacy Notice – Students

Wilberforce College's data protection vision is to create a culture of protecting privacy and personal data. Personal data is information which 'relates to and identifies a living individual'. Personal data should be adequate, relevant and limited to what is necessary.

### Why do we collect and use student information?

We collect and use student information under Article 6 (1) of the General Data Protection Regulation 2016:

- processing is necessary for compliance with a public task
- processing is necessary for the performance of the contract the student signs with the college upon enrolment
- processing is necessary for compliance with a legal obligation to which the controller is subject
- processing is necessary in order to protect the vital interests of the data subject

Special category data is processed under Article 9 (2):

- processing is necessary for the purpose of carrying out obligations under employment and social security and social protection law

We also collect the information to meet the requirements of the *Funding guidance for young people (Funding regulations)* published by the Education & Skills Funding Agency which can be found here <https://www.gov.uk/government/publications/advice-funding-regulations-for-post-16-provision>.

We use student data to:

- support student learning
- monitor and report on student progress
- provide appropriate student support, care and guidance
- assess the quality of our services
- ensure we meet all legal and statutory requirements placed on us

We will use the information provided in a manner that conforms with the Data Protection Act 2018, the GDPR 2016 and the Human Rights Act 1998.

We do not undertake any automated decision making.

The College is committed to being transparent about how it collects, uses, stores and deletes data and to meeting its data protection obligations.

Categories of student information that we collect, hold and share include:

- Personal information (such as name, unique learner number, address and photograph)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)

- Relevant medical information, special educational needs information
- Safeguarding information
- Assessment information
- Post-18 destination information
- Pre-16 school behavioural and performance information

### **Collecting student information**

Whilst the majority of student information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the GDPR, we will inform you whether you are required to provide certain student information to us or if you have a choice in this.

### **Storing student data (how long is data held for)**

Retention of records is based on the principle that your personal data will not normally be kept for longer than is broadly necessary. The College operates within statutory and best practice timescales for the retention of data. Data retention times are outlined in our separate Data Retention Policy.

### **How we transfer your personal information outside of the EEA**

We do not transfer your personal data outside of the EEA

### **Why we share student information**

We do not share information about our students with anyone without consent, unless the law and our policies allow us to do so.

We share students' data with the Department for Education (DfE) and the Education & Skills Funding Agency on a statutory basis. This data sharing underpins funding and educational attainment policy and monitoring. We are required to share information about our students with the (DfE) under regulation 5 of The Education (Information about Individual Students) (England) Regulations 2013.

The Department and the Agency have robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to student information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data. For more information about the department's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

To contact DfE: <https://www.gov.uk/contact-dfe>

## Who do we share student information with?

We routinely share student information with:

- Department for Education (DfE)
- Parents / Guardians
- Education and Skills Funding Agency
- JCQ and examination boards
- Careers Service (destination data)
- Local authorities
- RCU
- Apprenticeship services
- Lloyds Bank PLC (for Bursary students)
- UCAS (University applications)
- Universities)

We occasionally share student information with:

- Civica
- Social Services
- Previous schools
- Police / Emergency Services
- NCOP

Otherwise, before sharing information with a third party, we will either obtain your consent or establish that the sharing is necessary (which includes ensuring that the data shared is kept to a minimum), fair and otherwise within the law.

We will use unidentified photographs of students in relation to college events and activities for marketing purposes, e.g. prospectus and social media, but will obtain consent where the student is identifiable.

We will not pass your information to third parties for direct marketing purposes.

## Data collection requirements

To find out more about the data collection requirements placed on us by the Education & Skills Funding Agency via the 'Individualised Learner Record' please go to [https://www.gov.uk/government/collections/individualised-learner-record-ilr#2017-to-2018-individualised-learner-record-\(ilr\)-data](https://www.gov.uk/government/collections/individualised-learner-record-ilr#2017-to-2018-individualised-learner-record-(ilr)-data).

## Our students aged 16+

We will also share certain information about students aged 16+ with the local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- post-16 education and training providers
- youth support services

- careers advisers

For more information about services for young people, please visit the local authority website.

For students enrolling for post 16 qualifications, the Learning Records Service will provide us with a student's unique learner number (ULN) and may also provide us with details about the student's learning or qualifications.

### **Requesting access to your personal data**

Under data protection legislation students have the right to request access to information about them that we hold. To make a request for this, please email [enquiries@wilberforce.ac.uk](mailto:enquiries@wilberforce.ac.uk) who will process the request in partnership with Wilberforce College's Data Protection Officer.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed
- claim compensation for damages caused by a breach of the Data Protection regulations
- make a subject data access request (please see Data Protection Policy on our website)

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance, or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>.

### **Contact**

If you would like to discuss, or require clarification regarding this privacy notice, please contact:

- |                           |  |
|---------------------------|--|
| • Data Protection Officer | Stewart Edwards  |
| • Email address           | <a href="mailto:enquiries@wilberforce.ac.uk">enquiries@wilberforce.ac.uk</a> |
| • Telephone number        | 01482 711688   |

### **Changes to this privacy notice**

We will continually review and update this privacy notice to reflect changes in our practices and, when appropriate, in response to feedback from the public, as well as to take into account changes in the law.