

Data Protection Act 2018 and UK General Data Protection Regulation (GDPR) May 2018: Privacy Notice for Students

How we use your personal information

Purpose -

We collect and hold personal information relating to you during our enrolment process and may also receive information about you from your previous school, local authority and/or the Department for Education (DfE).

We use this personal data to:

- support your learning
- monitor and report on your progress
- provide appropriate pastoral care; and
- assess the quality of our services

We collect the data to meet statutory obligations, to help protect the vital interests of our students and to perform contractual obligations for teaching purposes.

We comply with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR), including removing your personal information from our systems when it is no longer required and ensuring that all personal information supplied is held securely.

What information do we collect –

We collect many different categories of information, for example:

- Personal details
- Contact details
- Next of Kin details
- Admission / attendance records
- National curriculum assessment records
- Unique Learning Number (for post 14 qualifications)
- Records of discussion between staff members

Some of the special category personal data we collect is:

- Health records about conditions
- Sickness related absence
- Ethnic Origin
- Safeguarding Information
- Criminal Convictions

We take your photograph for use on your student card to keep you safe whilst on college campus.

We may also take your photograph for internal educational purposes related to your course, we will not share this photograph publicly without your consent.

Any **sensitive** personal information we collect from you will never be supplied to anyone outside the College without first obtaining your consent, unless required or permitted by law.

Who collects the information –

Information is collected by college staff who have had specific training in data handling and are aware of the requirements to treat personal data in a private and secure manner.

How is the information collected -

This information is collected primarily through our enrolment process via paper or electronic means, we also collect data from the Learning Records Service relating to personal learning records for individuals over the age of 13. Additionally, we collect this information from Local Authorities.

Why do we collect the information –

We collect this information for academic purposes as described below:

- To support enrolment process
- To support your learning
- To keep students' safe
- To monitor and report on your academic progress
- To provide appropriate pastoral care
- To help us manage any health conditions that may affect your learning

We collect the information for academic purposes only to register students participation in a course of study and provide a valid certificate of achievement on its completion.

Sharing your personal data:

At times we will share your personal data with other organisations and people, we will only do so when we are legally required to do so, when our policies allow us to do so, or when you have given consent.

Examples of people we share personal data with are:

- Local Education Authority (LEA) to meet our legal obligations to share certain personal such as safeguarding concerns and exclusions
- Family, associates and representatives of the person whose personal data we are process, who are authorised to receive the data
- Governing bodies
- Awarding bodies
- Our regulator Ofsted: to meet our statutory obligations to report information such as census data and assessment data
- Health authorities and other NHS Services – to meet our obligations to share certain information, including safeguarding and vital interest.
- Police forces and courts
- Our suppliers and service providers
- Youth Support Services

Where we share your personal data with someone who is a supplier or service provider, we have taken steps to ensure that they treat your personal data in a way that meets the requirements of GDPR.

Do we share your information with parents, carers or guardians –

Young people aged 12 and over can decide for themselves and give consent for the processing of their personal information. Please note, this is different from consenting to doing a course, you have the right to withdraw your consent of data sharing.

Parental consent is not required therefore to undertake a course. There may be exceptions with regards to students with severe learning difficulties, school link students and those who are otherwise unable to decide for themselves.

The College has found that it is very beneficial to you as a young student if we are able to engage with your parent/s (or guardian/carer). Therefore, it is very important that we have these details recorded on our systems.

Sharing your information with the Education and Skills Funding Agency (ESFA) -

The information you supply is used by the Education and Skills Funding Agency, an executive agency of the Department for Education (DfE), to issue you with a Unique Learner Number (ULN) and to create your Personal Learning Record, as part of the functions of the 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>

How do we store your information –

The College stores information about students manually in secure filing cabinets and on the College's computer network and on web-based services. Access to computerised data is restricted to you, your parents/carer and appropriate staff, and is password protected.

How will it be used –

The information is accessed only to support your learning. For this purpose, we may use personal data to contact students to inform them of new learning opportunities, specific events, open evenings, and enrichment opportunities. We may also use the data to offer course enhancements that improve learning and employability.

The college does not use any automated systems for decision making in relation to your eligibility for a course of study.

We use your personal data to meet the statutory duties the DfE have placed upon us for data collection purposes.

What will be the effect of this data sharing on you –

There should be no effect on students other than to improve their learning experience, however the college recognises the sensitivity of releasing information to third parties.

For more information on how this sharing process works between the College and the Department of Education, please visit: <https://www.gov.uk/guidance/national-pupil-database-apply-for-a-data-extract>

For information on which third party organisations (and for which project) pupil level data has been provided to, please visit: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

We pass information on only for the benefit of your learning, we do not pass on information to third parties for the marketing of goods or other paid for services.

How long do we keep your records -

You will be able to locate our retention schedule on our college website to understand how long we keep your records and personal data. This can be found [here](#).

Your rights in relation to the data we hold –

Subject Access Request (SAR) – you may request copies of all the information the college stores relating to you. Please refer to our SAR Policy on how to proceed with this.

We will provide the data requested within one calendar month of the request.

Right to correct data – you may ask for inaccurate data held by the college to be corrected where applicable.

Right to erasure (the right to be forgotten) – you may request the college to delete all information relating to you where the data is no longer needed for its original purpose, and the college is able to comply with this request.

Right to restrict processing –where possible, while still complying with our duties as a college, you may request that the information we store is strictly limited in use. In this circumstance we will not pass on any information to third parties other than the statutory bodies described in this document.

Right to data portability – you may ask to receive a copy of all information held by the college in a common format to allow transfer to another organisation.

Right to object – you may object to our use of certain personal data.

Right to complain – you have the right to complain if you believe that the college has used your data in a manner that has infringed your rights. This can be directly to the college in which case we will do all we can to satisfy the complaint, alternatively a complaint can be made directly to the Information Commissioners Office.

To exercise any of these rights it is preferable if you contact the 'Data Protection Officer' in writing using the address at the end of this document.

To raise a concern with the Information Commissioners Office please access the following web page - <https://ico.org.uk/concerns>

Our use of CCTV -

Whilst you are using college premises, we may use CCTV Surveillance equipment to collect imagery for security purposes.

The college uses CCTV to maintain your safety and the prevention and detection of crime.

Imagery is retained in a secure environment and is only accessible by authorised personnel who have a legitimate reason to do so.

Any images recorded will be kept within the college except where disclosure is required by law, for example law enforcement agencies or in response to a subject access request.

For further information on CCTV, please refer to our CCTV Policy that can be located on our website.

Our legal right to process your data –

Most of the information we collect is necessary for your enrolment as a student or is required by law in meeting our legal obligations from government organisations. You must provide it in order to enrol at the College.

Depending on the purpose, our use of your information will be legal due to one of the following:

- Informed consent given by you or your parent or legal guardian [Article 6(1)(a)] For example: the use of your photographs on our website or social media.

- To meet a legal requirement [Article 6(1)(c)] – for example: providing information to the DfE
- To protect vital interest of you or someone else [Article 6(1)(d)] For example: giving your family details to emergency services.
- Delivering a public task [Article 6(1)(e)] – For example: recording your attendance at school each day

Where we use special category data, our use is legal due to one of the following reasons:

- Explicit informed consent given by you or your parents or legal guardian [Article 9(2)(a)]
- We are legally obliged to collect and use it [Article 9(2)(b)] – for example: information about your ethnicity or any disabilities
- To protect vital interested of you or someone else [Article 9(2)(c) – for example: giving detail of health condition(s) to the emergency services
- Because it is part of delivering a public service [Article 9(2)(g)] – for example: Holding data on any medical condition so that we can help you manage it.

Our responsibilities -

The College as a corporate body is the data controller under the Data Protection Act, and the Board of Governors is therefore ultimately responsible for implementation.

The designated representative of the data controller who is appointed to ensure compliance with the Act and responsible for the safe use and storage of data under the GDPR is the Director of Human Resources; and appointed to deal with day-to-day matters is the Director of Information Technology

The college is registered as a data controller through the Information Commissioners Office, our registration reference is - ZA123693

Identity and Contact Details –

Data Protection Officer – Bill Harrop, Director of Human Resources.

Tel: 0151 252 3959

email – bill.harrop@liv-coll.ac.uk

HR Data Protection & Information Coordinator – Samantha Dunbar.

Tel: 0151 252 3223

email – samantha.dunbar@liv-coll.ac.uk