



# Privacy policy

## Privacy Notice

### LEARNERS

#### How we use learners' information

The categories of learner information that we collect, hold and share include:

- Personal information, such as name, address and unique learner number
- Sensitive personal information, such as ethnicity, disability information, relevant medical information, additional learning support needs, free school meal eligibility, safeguarding records, disciplinary information, unspent criminal convictions and financial information
- Attendance information, such as registers
- Tutorial records, such as progress, behaviour and agreed targets.

#### Why we collect and use this information

We use the learner data:

- To support learning and monitor progress
- To provide appropriate pastoral care, bursary support and / or educational support
- To assess the quality of our services
- To fulfil our obligations with statutory organisations.

#### The lawful basis on which we use this information

We collect and use learner information under the following lawful basis:

- Personal information: Contract and Public Task (GDPR Article 6a and 6e)
- Sensitive personal information: Public Task (GDPR Article 6e and Article 9g) and vital interests (GDPR Article 6 and Article 9c)
- Attendance information: Public Task (GDPR Article 6e)
- Tutorial records: Legitimate interests (GDPR Article 6f)
- Collecting learner information.



Whilst the majority of personal information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you have a choice in providing your personal information.

### **Storing learner data**

Learner data, as a standard, will be held for a period of six years from the end of the academic year in which you studied. Any variation that is required under our funding contract will be detailed in our Document Retention Strategy.

### **Who we share learner information with**

We routinely, to fulfil statutory data collections, share learner information with statutory organisations:

- Our local authority
- Education and Skills Funding Agency
- The Department for Education (DfE)
- Office for Students (HE)
- National Offender Management Services (prison-based learners)
- National Apprenticeship Services
- Internal and external auditors
- Awarding organisations.

### **Why we share learner information**

We share learners' data with the above organisations on a statutory basis. This data sharing underpins our further and higher education funding, educational attainment policy and monitoring and financial assurance processes.

We do not share information about our Learners with anyone else without your consent unless the law and our policies allow us to do so.  
The Individualised Learner Record (ILR)

The ILR is owned and managed by the Department for Education and contains information about learners in further and higher education colleges in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.



We are required by law, to provide information about our learners to the DfE as part of statutory data collections such as the monthly ILR returns.

The law that allows this is the Education (Information About Individual Learners) (England) Regulations 2013.

The department may share information about our Learners from the ILR with third parties who promote the education or well-being of young people and adults in England by:

- Conducting research or analysis
- Producing statistics
- Providing information, advice or guidance.

The Department has 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 learner 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>

For information about which organisations the department has provided learner information, (and for which project), please visit <https://www.gov.uk/government/publications/national-Learner-database-requests-received>

For DfE contact details, visit: <https://www.gov.uk/contact-dfe>

## EMPLOYERS

### How we use employers' information

As part of our interaction with you, as an employer, we will store and use your details for the purposes of managing and operating the College, and to communicate with you about your students. We will record details such as your employer name, address, contact telephone numbers, who the main contacts in your organisation are, how many employees you have and what your organisation does. We will also record whether you are a levy paying employer and any documents that you have signed in relation to apprenticeship agreements. We will never use your information without your prior consent, you have a right to know what we hold about you and a right to ask us to remove that information. Please see below for more information on your rights.

### The legal basis on which we collect and use your information

We collect and process your information as we have a legitimate interest in wishing to interact with you to manage and effectively operate our College. This information is also collected to ensure that we can fulfil our contractual obligations with the funding agencies.

### How long we keep your information

We will remove contact details from your organisational record as staff leave your organisation or we have a new point of contact.

### How we share your information

We may share personal information such as your employer name and address with our funding bodies for the purpose of fulfilling our contractual arrangement and ensuring that we receive the funding for the qualifications we are delivering.



## JOB APPLICANTS, CURRENT EMPLOYEES AND FORMER EMPLOYEES

### How we use your information

The information we ask for is used to assess your suitability for employment. You don't have to provide what we ask for but it might affect your application if you don't.

### Application stage

We ask you for your personal details including name and contact details. We will also ask you about your previous experience, education, referees and for answers to questions relevant to the role you have applied for.

Our recruitment team will have access to all of this information. You will also be asked to provide equal opportunities information. This is not mandatory information – if you don't provide it, it will not affect your application. This information will not be made available to any staff outside of our recruitment team, including hiring managers, in a way which can identify you. Any information you do provide will be used only to produce and monitor equal opportunities statistics.

### Shortlisting

Our hiring managers shortlist applications for interview. They will not be provided with your name or contact details or with your equal opportunities information if you have provided it. Candidates are asked to provide proof of identity and qualifications at the interview. Photocopies of original documents are only retained if the candidate is successful.

If you are unsuccessful for the position you have applied for, your data will be held for a period of six months in case of any queries regarding the outcome or for feedback purposes.

### Conditional offer

If we make a conditional offer of employment, we will ask you for information so that we can carry out pre-employment checks. You must successfully complete pre-employment checks to progress to a final offer. We are required to confirm the identity of our staff, their right to work in the United Kingdom and assess suitability for the role.

Upon commencement of your employment, we will also ask you for:

- Bank details – to process salary payments
- Emergency contact details – so we know who to contact in case you have an emergency at work
- Employment status for tax code purposes.

Our contract of employment requires all staff to declare if they have any potential conflicts of interest, other employment or engagement. If you complete a declaration, the information will be held on your personnel file.



## PARENTS AND GUARDIANS

If your child is under the age of 18 at the start of their studies, we require them to provide your name, email and phone number. We collect this information to support the communication with potential learners during the application process and to keep you informed about your child's performance and attendance.

## OTHER INFORMATION

### Data collection requirements

To find out more about the data collection requirements placed on the College by the Department for Education (for example; via the ILR) visit <https://www.gov.uk/government/publications/ilr-guides-and-templates-for-2017-to-2018>

### Changes to our Privacy Policy

We keep our privacy policy under regular review and will update it from time to time to make sure it remains accurate.

### Requesting access to your personal data

Under data protection legislation, learners, employers, parents and job applicants have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact the Group Director for Finance and Administration Systems who is the 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
- Have inaccurate personal data rectified, blocked, erased or destroyed – in certain circumstances
- Claim compensation for damages caused by a breach of the Data

### Protection regulations

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





## CONTACT

If you would like to discuss anything in this privacy notice, please contact:

Pete Sloman, Group Director: Finance and Administration Systems who is the College's Data Protection Officer [peter.sloman@weston.ac.uk](mailto:peter.sloman@weston.ac.uk)