

CALDERDALE COLLEGE



INSPIRING LEARNERS TO SUCCEED IN LIFE & IN WORK

Student Privacy Notice



1. What is the purpose of this document?

Calderdale College (“**Calderdale**”) is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. You are being provided with a copy of this privacy notice because you have enrolled to study with Calderdale (the “**Services**”).

This privacy notice makes you aware of how and why your personal data will be used, namely for the purposes of providing the Services to you, and how long it will usually be retained for. It provides you with certain information that must be provided under the General Data Protection Regulation ((EU) 2016/679) (GDPR).

Data protection principles

We will comply with data protection law and principles, which means that your data will be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

2. The kind of information we hold about you

Personal data, or personal information, means any information about you from which you can be identified. It does not include data where your identity has been removed (anonymous data).

There are "special categories" of more sensitive personal data which require a higher level of protection.

During our provision of the Services to you, we will collect, store, and use the following categories of personal information about you:

- The information you have provided to us in the course of your enrolment with Calderdale, including the data submitted by you through your completion of the relevant enrolment form.
- The information you provide to us for your Individual Learner Record.
- The information you have provided to us via telephone, email, fax, text or letter.



We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

- **Identity Data:** first name, last name, title, date of birth, gender, learner reference number, unique learner number, national insurance number, passport details, photograph, nationality, UK/EEA residency and CCTV footage where you appear on our security cameras.
- **Contact Data:** your current address, your postcode prior to enrolment, email address and telephone number, any previous residence, emergency contact details, legal guardian (under 19's).
- **Documentation:** any documents you provide/submit to us in the course of your studies as well as those emails you send/receive through your use of the Calderdale email service.
- **Education Data:** details of your prior education (including maths grade and English grade), details of your previous school(s), information relating to your current studies (including subjects taken, and your current progress) data about your use of library services (including overdue accounts).
- **Financial Data:** details used to process payment of fees and information used to calculate your eligibility for any grants or hardship funds.
- **Disciplinary Information:** information provided by or on behalf of you and/or collected by Calderdale which it uses to investigate issues of conduct and discipline, fitness to study assessments and complaints or appeals.
- **Employment Data:** household situation, employment status, employer details and benefit status.

We may also collect, store and use the following "**Special Categories**" of more sensitive personal information for the purposes of your enrolment at the College.

- Information about your ethnicity;
- Information about your health, including any medical condition. This may include:
 - details of any health issues (both physical and/or mental) which require us to make adjustments to our delivery of your education;
 - details of any benefits received by you owing to such health issues;
 - information regarding pregnancy where we are required to conduct an expectant mothers risk assessment to make adjustments to you education owing to such pregnancy,
- Information we capture from you where you suffer an accident or require first aid on Calderdale premises.



We may also capture information about criminal convictions and offences that you provide to us, or are provided to us by a third party during the course of your studies with Calderdale, this might include:

- Details of unspent convictions;
- Details provided to us by the police in relation to criminal incidents you have been involved in.
- Details of criminal acts you commit during your time on Calderdale premises;
- Details of criminal acts you disclose to us voluntarily and which will have an impact on your education (e.g. in relation to placements which you can undertake with our partnering organisations).

3. How is your personal information collected?

We use different methods to collect data from and about you including through:

- **Direct Interactions:** you may provide us with personal information directly by:
 - completing forms/questionnaires we provide you both upon enrolment and during the course of your studies;
 - communicate with us (whether that be face-to-face, by telephone or email); and
 - where you make use of the facilities we offer to you in the course of your studies such as the library;
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties as set out below:
 - The Education and Skills Funding Agency;
 - Awarding bodies;
 - Third party placement providers;
 - The Learner Records Service;
 - Calderdale and Kirklees Careers Service;
 - City and Guilds;
 - Our sub-contractors who are responsible for collecting data about skills in the workplace on behalf of us and the European Skills and Funding Agency and the Department for Work and Pensions to the extent that you, through the course of your placement, are involved in such studies; and
 - Students Loans England



4. How we will use information about you (i.e. lawful bases)

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Processing is necessary for the performance of your learner agreement with us.
- Processing is necessary for the performance of a task carried out in the public interest.
- Processing is necessary for the performance of a legal obligation to which Calderdale is subject.
- Processing is necessary for our legitimate interests.

Situations in which we will use your personal information

The situations in which we will process your personal information are listed below.

- Completion of the Individualised Learner Record for the Education and Skills Funding Agency.
- Monitoring of student progress throughout your studies including attendance, progress against targets, reviews.
- Exam registrations with awarding bodies.
- To identify a Unique Learner Number (ULN) via the Learner Records Service.
- Providing information to Calderdale and Kirklees Careers Service to support monitoring of young people Not in Education, Employment or Training (NEET).
- To provide you with library services (including where you have outstanding fines due to overdue books or other materials).

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.



5. If you fail to provide personal information

If you fail to provide information when requested, which is necessary for you to be a valid participant in the Project (such as details required for completion of the ILR, evidence required for fee remission), we will not be able to enrol you at the College.

6. How we use particularly sensitive personal information

"Special categories" of particularly sensitive personal information (see section 2 above) require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We may process Special Categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where the processing is necessary to protect your vital interests and you are unable to consent.
3. The personal data in question has already been made public by you.
4. The processing is necessary for reasons of substantial public interest, including:
 - statutory purposes;
 - equality or opportunity or treatment

We will use your particularly sensitive personal information in the following ways:

- For the purposes of the your education;
- Preventing or detecting unlawful acts;
- Counselling provided by our counselling services;
- Where we are required to disclose personal data for insurance purposes; and/or
- Where the processing is necessary for the purposes of Calderdale's involvement in legal proceedings, the obtaining of legal advice or establishing, exercising or defending Calderdale's legal rights.

7. Information about criminal convictions

We envisage that we will process information about a student's criminal convictions only in limited circumstances, which may include where you have identified they have unspent convictions



We will collect information about your criminal convictions for the purpose of the Project in accordance with the following lawful basis:

- We have obtained your written consent to do so.
- When handling a legal claim.

We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

8. Automated decision-making

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

9. Data sharing

Why might you share my personal information with third parties?

We will only share your personal information with the following third parties for the purposes of your education or where we are required to do so:

- Education and Skills Funding Agency: to ensure that public money distributed through the ESFA is being spent in line with government targets for quality and value for money, for planning, and to make the case for the sector in seeking further funding;
- Office for Students (OfS): provides information about student characteristics for use in certain funding allocations. It is also used to produce a number of audit tools that are used to check the accuracy of Higher Education in Further Education: Students (HEIFES) returns;
- Awarding bodies: to register and certificate examinations;
- Our sub-contractors: to monitor funding of sub-contracted students;
- Learner Records Service: to issue you with a Unique Learner Number (ULN) and to create your Personal Learning Record, as part of the functions of the DfE;
- Calderdale & Kirklees Careers Service: to monitor participation in Education of the local post-16 group;
- Learning Assistant (City & Guilds): to enable the capturing of evidence and progress monitoring of Apprenticeship students through an e-portfolio system;
- Apprenticeship Certificates England: to apply for Apprenticeship certification;
- Student Loans England: for administering loan applications; and
- Our third party service providers who provide Calderdale with certain software systems used to manage your education.



10. Data security

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a need-to-know for the purposes of our provision of your education here at Calderdale. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

11. Data retention

How long will you use my information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of your education, and to comply with funding body requirements. Details of retention periods for different aspects of your personal information are available from <https://www.calderdale.ac.uk/about-us/data-protection>. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

The period for which some of your personal data may be kept may also be determined as a result of specific educational requirement and agreed practices. We keep your data for 6 years after you have left the college, if your course is ESFA funded we are obliged to keep your data until 31st December 2030.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker or contractor of the company we will retain and securely destroy your personal information in accordance with our data retention policy.

12. Transferring information outside the EU

We do not transfer any information we process about you outside of the EU.

13. Rights of access, correction, erasure, and restriction

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.



- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact Head of Data Services in writing.

14. Right to withdraw consent

Where we have relied on your consent to process certain categories of your personal data, you have the right to withdraw your consent for processing for that purpose at any time. To withdraw your consent, please contact the data protection co-ordinator via email jonathanha@calderdale.ac.uk or 01422 357 357. Once we have received notification that you have withdrawn your consent, we will no longer process your personal information and, subject to our retention policy, we will dispose of your personal data securely.

15. Data protection officer

We have appointed a data protection officer to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the data protection officer via email jane.holmes@calderdale.ac.uk. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.