

## **Privacy Notice (How we use student information)**

This notice sets out how we use your personal information and in particular: what personal information we collect;

- what we do with your personal information;
- the legal basis on which we collect and use your personal information;
- how long we keep your personal information;
- how we share your personal information including whether we transfer your personal information outside of the European Economic Area (“EEA”); and
- your rights over your personal information.

### **The categories of student information that we collect, hold and share include:**

- Personal information (such as name, unique student number and address);
- Characteristics (such as ethnicity, language, nationality, country of birth and eligibility for free meals, etc);
- Attendance information (such as sessions attended, number of absences and absence reasons);
- Course information (admission, enrolment, etc);
- Assessment /progress information;
- Accommodation information;
- Details of any scholarships or bursaries applied for;
- Safeguarding and student disciplinary records;
- Relevant medical information;
- Information relating to learners with learning difficulties/learning disabilities; and
- CCTV images and your photo for your-Student ID card / college transport card (where relevant)

### **Why we collect and use this information**

We use this information:

- to provide education, support student learning and to provide general advice services for students;
- for enrolment purposes, to consider whether to offer places to students and to record and track a student’s learning journey, once their application to the College has been successful;
- to maintain learner profiles and records of work for each student;
- to arrange student travel or accommodation;
- to provide catering services;
- to organise offsite activities or student work experience;
- for handling student funding and bursaries;
- for safeguarding purposes and to provide appropriate pastoral care;

- to maintain the College's accounts and for insurance purposes;
- to process financial transactions (payment for offsite activities, accommodation, etc);
- to assist with the collection of monies due to the College;
- in the case of use of CCTV, to maintain the security of the College's premises and for preventing and investigating crime;
- to maintain accident records and to otherwise comply with health and safety legislation;
- to assess the quality of our services and for complaints handling;
- and to otherwise fulfill our statutory obligations as an educational institution under the Further and Higher Education Act 1992, Education Act 1996 and other applicable legislation.

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

We are subject to statutory and legal obligations requiring us to process this information. We are also required to process this information to enable us to perform our contractual obligations to you, such as provision of education and provision of accommodation and or transport services. In some instances, we are required to process this information as we as a College are performing a task in the public interest (provision of education). In some instances, we may decide to process this information because it is in our legitimate (commercial) interests to do so.

For some non-core purposes, ie not directly related to your study with us, such as for marketing purposes (including texting key messages, satisfaction surveys, awards ceremony invitation, etc), offsite activities and events, provision of catering services (canteen), destinations data, ie information about where you are and how you are doing after you have left the College, etc we require your consent to process your personal information. You can withdraw your consent for this processing at any time; but this could have consequences in terms of us being able to provide those non-core services to you.

## **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 General Data Protection Regulation, 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 we hold this information for will depend on the type of information.

For instance:

Type of Data	Retention Period	Reason for retention
City & Guilds Awarding Body Records,	3 years from completion + 1 year	Because we are required by law to collect and retain this information. We also need to collect and retain this information to perform our obligations under our contract with you
BTec	3 years from completion + 1 year	
IMI	5 years from completion + 1 year	
EdEXCEL Awarding Body Records	10 years from completion + 1 year	
Employer Responsive (WBL) Records	10 years from completion + 1 year	
Learner Responsive (FE) Records	10 years from completion + 1 year	
HEFCE Funding (HEFCE) Records	10 years from completion + 1 year	

Type of Data	Retention Period	Reason for retention
All records above which relate to ESF programmes (match or directly ESF funded)	For the purpose of the Department for Work and Pensions as a data controller of the data, where Learner data is used as match on the 2007-13 ESF programme, the data must be retained securely until at least 31 Dec 2022 and where learner data is used as match on the 2014-2020 ESF programme, the data must be securely until 31 <sup>st</sup> December 2030	Because we are required by law to collect and retain this information. We also need to collect and retain this information to perform our obligations under our contract with you
Signed medical consent forms	6 years from completion of course + 1 year	
Admissions Panel	6 years from completion of course+ 1 year	
	Six months from the date of the application for unsuccessful applications	
Enrolment forms	6 years from completion of course+ 1 year	
	Six months from the date of the application for unsuccessful applications	
Withdrawal forms	6 years from completion of course + 1 year	

Type of Data	Retention Period	Reason for retention
Student Interview Files	6 years from completion of course + 1 year	Because we are required by law to collect and retain this information. We also need to collect and retain this information to perform our obligations under our contract with you
Safeguarding records	6?years from completion of course + 1 year	
Bursary Information	6 years from completion of course + 1 year	
Fitness for Study	6 years from completion of course + 1 year	
Doctor's Surgery Questionnaire	6 years from completion of course + 1 year	
Consent and indemnity form	6 years from completion of course + 1 year	
Student Disciplinary leading to removal from College	Permanent	College's legitimate interests including safeguarding of students
Student Disciplinary leading to other sanctions	3 years from date of sanction + 1 year	College's legitimate interests including safeguarding of students
Student Support – Duty Logs	1 year from date of log + 1 year	
Student Support - Other	1 year from date of log + 1 year	

Type of Data	Retention Period	Reason for retention
Accommodation	<p>Successful applications 7 years from date of the application + 1 year</p> <p>2 years for unsuccessful applications + 1 year</p>	Because we are required by law to collect and retain this information. We also need to collect and retain this information to perform our obligations under our contract with you
Information regarding offsite activities, trips, etc and specifically forms OS1, OS2 and OS3 in relation to such offsite activities	3 years from the date of the activity + 1 year	Performance of a contract
Student work experience and apprenticeships	6 years from completion of apprenticeships + 1 year	
Risk Assessment (criminal convictions/medical)	10 years from date of assessment+ 1 year	College's legitimate interests including safeguarding of students
Information relating to learners with learning difficulties/learning disabilities	10 years from completion of course + 1 year	
References for students	6 years from completion of course + 1 year	
Club/Activity Register	1 year from completion of course + 1 year	

For further details, the College's Data Retention Policy is available at <https://able.askham-bryan.ac.uk/course/view.php?id=12275> (Higher Education students) and <https://able.askham-bryan.ac.uk/course/view.php?id=12276> (Further Education students)

## Who we share student information with

We routinely share student information with :

- educators and examining bodies;
- awarding bodies;
- UCAS;
- suppliers (provision of catering, transport, etc);
- careers services;
- our local authority and your previous school;
- ESFA;
- OfSted;
- Office for Students (OfS);
- the Department for Education (“DfE”); and
- Student Loans Company.
- an employer offering work placement to a student
- anti- plagiarism services such as “Turnitin”, etc

## Why we share student information

We will share your data with some third parties, including the ESFA, local education authorities, OfS, Ofsted, Student Loans Company and awarding bodies where this is necessary for the provision of your education or other core purposes, such as catering and transport.

Where we do this, there will be a clear purpose for the sharing, and where necessary, a data sharing agreement will first be put in place to define expectations for the use, control and security of that data.

Please note you can withdraw your consent to this processing at any time; but if you refuse to allow the College to share your personal data with these third parties, this could prevent the College from providing some or all of its services to you and in some circumstances the College may still be able to share your personal data without your consent, where, for instance, it is under a statutory obligation to do so, such as with the ESFA.

The ESFA, on behalf of DfE and other successor bodies will use your data to exercise its functions and to meet its statutory responsibilities, including under the Apprenticeships, Skills, Children and Learning Act 2009 and to create and maintain a unique learner number (ULN) and a personal learning record (PLR). Your information will be securely destroyed after it is no longer required for these purposes.

Your information may be shared by the ESFA with third parties for education, training, employment and well-being related purposes, including for research. This will only take place where the law allows it and the sharing is in compliance with data protection legislation. The DfE is the data controller for personal data processed by the ESFA.

For more information about the DfE’s data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

To contact the DfE please go to <https://www.gov.uk/contact-dfe>

In some cases it may be necessary to share your personal data with a third party organisation such as the Police and or Social Services, without your consent, or where it is in your “vital interests” to do so, such as in an emergency situation, where it may not be possible to obtain your consent.

The European Social Fund Managing Authority (or agents acting on its behalf) may contact you in order for them to carry out research and evaluation to inform the effectiveness of training.

## **Extra curriculum activities**

The College is also required to process and share your personal data with your consent for some extra curricula activity purposes, for example for surveys including collecting destination/progression data and marketing, including texting, awards ceremony invitations and alumni.

Where we do this, there will be a clear purpose for the sharing and a data sharing agreement will first be put in place to define expectations for the use, control and security of that data. You can withdraw your consent at any time; but if you refuse to allow the College to share your personal data with these third parties, this could prevent the College from providing some or all of its services to you.

## **Transferring your personal data outside of Europe**

Your information will remain at all times within the UK and or European Economic Area (“EEA”).

If we have to transfer your personal data outside the EEA, we will only do so where:

- the recipient or recipient country ensures an adequate level of protection for your personal data;
- the recipient or recipient country is subject to an approved certification scheme or code of conduct with binding and enforceable commitments which amount to appropriate safeguards for your personal data, such as the EU-US Privacy Shield that enables the secure transfer of personal data to the United States;
- we have put in appropriate safeguards with the recipient or recipient country to protect your personal data such as a data sharing agreement;
- the transfer is permitted by law; or
- you expressly consent to that transfer.

## **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 your personal information contact, contact the College’s Data Protection Officer, Judith Clapham, either by contacting Judith at [judith.clapham@askham-bryan.ac.uk](mailto:judith.clapham@askham-bryan.ac.uk) or at [DataProtection@askham-bryan.ac.uk](mailto:DataProtection@askham-bryan.ac.uk)



You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- 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 ask that you raise your concern with us in the first instance by contacting Judith Clapham, either at [judith.clapham@askham-bryan.ac.uk](mailto:judith.clapham@askham-bryan.ac.uk) or at [DataProtection@askham-bryan.ac.uk](mailto:DataProtection@askham-bryan.ac.uk).

Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## **Further information**

If you would like to discuss anything in this privacy notice, please contact Judith Clapham, either at [judith.clapham@askham-bryan.ac.uk](mailto:judith.clapham@askham-bryan.ac.uk) or at [DataProtection@askham-bryan.ac.uk](mailto:DataProtection@askham-bryan.ac.uk)