

Appendix 2: Privacy Notice Students

General

The Data Protection Act 1998 (DPA) (the General Data Protection Regulation GDPR from May 2018) protects the rights of individuals by setting out certain rules as to what organisations can and cannot do with information about people. A key element to this is the principle to process individuals' data lawfully and fairly. In order to meet the fairness part of this we need to provide information on how we process personal detail.

HRUC is committed to protecting and respecting your privacy. This privacy notice explains how the college may use your personal information. If you have any questions about the way we use your personal data, please contact our Data Protection Officer (DPO):

The College's official contact details are:

Data Protection Officer
HRUC - Uxbridge Campus
Park Road
Uxbridge UB8 1NQ

Tel: +44 (0) 1895 853311

Email: dpo@hcuc.ac.uk

From time to time you will be asked to provide HRUC with personal information in order to become a student or a customer and use College systems and services. Unless required or permitted by law, we will always ask you before we use it for any other reason. We would only use it for marketing with your prior consent.

Your personal information is used by us to exercise our official authority to provide further and higher education and training services within the legislative framework of the UK. We also have requirements placed on us by the Department for Education (DfE), and the Education and Skills Funding Agency (ESFA).

Why we collect and use this information.

We use student data to:

- Support student learning
- Monitor and report on student progress
- Provide appropriate pastoral care
- Assess the quality of our services
- Comply with the law regarding data sharing.

What information do we collect about you?

We collect information from you when you enquire about or apply to join the College. Once you enrol as a student at the College, the information we collected at application is updated where necessary during the enrolment process. The information we collect includes:

- Your name
- Address
- Contact details
- Date of birth
- Previous education
- A photograph for security purposes
- A record of emergency contact details
- National insurance number.

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Special Categories of Information

The College will also ask you to provide information relating to your ethnicity and any health or additional learning needs you may have. This information is used to ensure that we meet our obligations under the Equality Duty. We also use any information you provide to us about your health or additional learning needs, to assist the College in identifying support you may require during the application and enrolment processes and throughout your time with us at the College. We may be provided with information about you (for example, health information or attendance data) by your previous school or college, to enable us to support you in your transition to the College.

Under data protection legislation, explicit consent must be received to process special categories of data, and therefore we will request that you sign a consent-to-process clause at the point of application regarding the processing of this data.

Data consisting of the following is classed as sensitive:

- Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- Genetic data
- Biometric data
- Data concerning health
- Prior convictions
- A natural person's sex life or sexual orientation.

How will we use information about you?

We do not share information about our students with anyone without consent unless the law (a statutory requirement) and our policies allow us to do so. The information will be used for purposes relating to education, training, employment, general advice services, and well-being. The College may share non-sensitive personal information about you with other organisations, for example the Local Authority, for these purposes. We do not share your information for purposes that are incompatible, such as product marketing, without specific consent.

The College will ask your permission before sharing sensitive information with other organisations, unless the sharing is permitted by law and necessary.

We have a statutory obligation to pass information to the Education and Skills Funding Agency (ESFA). You can view a separate privacy notice from the ESFA on behalf of the Department of Education by following this link: <https://www.gov.uk/government/publications/esfa-privacy-notice>

Youth Support Services

We will also share certain information about students aged 16+ with our 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 our local authority website.

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Marketing

When you enquire or apply to join us, we will contact you to provide you with information about your application, our courses and the other benefits of joining the College. We will not share your details with any other organisation for marketing purposes. If you would not like to receive information about the College, please let us know, however, this may result in you not receiving important information to support your application.

Transfer of Data Abroad

Any electronic personal data transferred to countries or territories outside the EU will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. Our website is also accessible from overseas so on occasion some personal data (for example in a newsletter) may be accessed from overseas.

Legal Basis

Most of our data is processed because it is necessary for the legitimate interests of the College, or the legitimate interests of a third party (such as another organisation in the Education sector).

Some of our processing is necessary for compliance with a legal obligation.

We may also process data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract.

There may also be occasions where the College will seek your consent to process data for legitimate purposes.

How long will we process your data for?

Your information will be securely destroyed after it is no longer required, in accordance with our retention policy. We will keep some records for an extended period of time or permanently if we are legally required to do so. For example we are required to retain information by the Education and Skills Funding Agency (ESFA) to prove funding and support audits. You can request a copy of this policy from the college's Data Protection Officer.

Security

We take security measures to protect your information including:

- Limiting access to our buildings to those that we believe are entitled to be there (by use of passes, key card access and other related technologies)
- Implementing access controls to our information technology, such as firewalls, ID verification and logical segmentation and/ or physical separation of our systems and information
- Ensuring that paper based data is kept securely.

Your rights and your personal data

You have the following rights with respect to your personal data:

1. The right to access information we hold on you through a Subject Access Request (SAR):
 - At any point you can contact us to request the information we hold about you, why we have that information, who has access to the information and where we obtained the information from.

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- Information must be provided for free in most (but not all) cases. There are no fees or charges for the first request but additional requests for the same data may be subject to an administrative fee.
 - Manifestly unfounded or excessive requests can be charged for or refused.
 - The deadline for the processing of information is 'within 1 month'. This deadline can be extended in certain cases.
 - Additional information must be supplied e.g. the College data retention periods and the right to have inaccurate data corrected.
 - If the College wishes to refuse an SAR, it will need to have policies and procedures in place and demonstrate why it has refused the request.
2. The right to correct and update the information we hold on you:
 - If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.
 3. The right to have your information erased:
 - If you feel that we should no longer be using your data or that we are illegally using your data, you can request that we erase the data we hold.
 - When we receive your request we will confirm whether the data has been deleted or the reason why it cannot be deleted (for example because we need it for our legitimate interests or regulatory purpose(s)).
 4. The right to object to processing of your data:
 - You have the right to request that we stop processing your data. Upon receiving the request we will contact you and let you know if we are able to comply or if we have legitimate grounds to continue to process your data. Even after you exercise your right to object, we may continue to hold your data to comply with your other rights or to bring or defend legal claims.
 5. The right to data portability:
 - You have the right to request that we transfer some of your data to another controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.
 6. The right to withdraw your consent to the processing at any time for any processing of data to which consent was sought:
 - You can withdraw your consent easily by telephone, email, or by post (see Contact Details above).
 7. The right to object to the processing of personal data where applicable.
 8. The right to lodge a complaint with the Information Commissioner's Office.

How to complain

If you have a data protection concern that cannot or has not been resolved by the College, you have the right to raise it with the Information Commissioner's Office, the governing body for privacy and data protection. Complaints should be directed to the Information Commissioner by one of these methods:

Post: Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Telephone: 0303 123 1113. Email through their website www.ico.org.uk