

Northampton College Privacy Notice (including terms and conditions) - how we use student information

What is a Privacy Notice?

A privacy notice is a statement that describes how Northampton College collects, uses, retains and discloses personal information.

To ensure that we process your personal data fairly and lawfully we are required to inform you:

- Why we need your data
- How it will be used and
- Who it will be shared with
- What rights you have to control how we use your information

The law determines how organisations can use personal information. The key laws are: the General Data Protection Regulation (GDPR) enforced 25th May 2018 and the Data Protection Act 1998 (DPA).

What will we use your data for

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

- Personal information (such as name, date of birth, unique learner number (ULN), national insurance number, address, country of residence, recording of document (e.g. passport) numbers to prove evidence of residency, contact details such as mobile number and email address, prior level of educational attainment, employment status and details and next of kin details)
- Sensitive Personal Data (such as ethnicity, sex, learning/health difficulty/disability, special educational needs information, relevant medical information, nationality and criminal convictions)
- Study Programme/Course enrolment details including your in-learning status (e.g. enrolled, withdrawn), achievement outcomes (results) and destination information.
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Financial information (such as fees paid for a course, part-payment/invoice agreements)

Why we collect and use this information

We use the student data:

- to meet our contractual agreement with the Education and Skills Funding Agency (ESFA) and the Office for Students (OfS) formally known as the Higher Education Funding Council for England (HEFCE)
- support student learning
- to monitor and report on student progress and achievement
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing

The lawful basis on which we use this information

We collect and use student information under the lawful bases of **Legal obligation** and/or **Contract** (Article 6).

The new legislation identifies certain data as being ‘special category data’. This means that an organisation has to identify, in addition to the lawful basis for using the data, a ‘condition’ for collecting and processing it (which forms part of Article 9 of the legislation).

From a student perspective, the College collects two categories of Special Category Data and the table below denotes the lawful basis and condition for collecting these.

Type of Special Category Data	Lawful Basis - Article 6	Condition for processing special category data - Article 9(2)
Health (data in addition to funding body requirements)	<p>Legal Obligation/Contract</p> <p>(b) The data processing is necessary for the performance of a contract to which the data subject is partly or in order to take steps at the request of the data subject prior to entering into a contract</p> <p>(c) The data processing is necessary for compliance with a legal obligation to which the controller is subject</p> <p>(d) The data processing is necessary in order to protect the vital interests of the data subject or of another natural person</p>	<p>2.1 – explicit consent</p> <p>2.2 employment or social security/protection requirements</p> <p>2.3 protecting the vital interests of the student or another party</p> <p>2.6 the exercise or defence of a legal claim</p>

Type of Special Category Data	Lawful Basis - Article 6	Condition for processing special category data - Article 9(2)
		2.7 reasons of substantial public interest 2.8 purposes of medical or health care

Northampton College has legal obligation to provide the information to the ESFA, OfS and the Department of Education (DfE). The ESFA and DfE use the information to perform statutory functions on behalf of the Secretary of State as set out in the Apprenticeships, Skills, Children and Learning Act 2009 and for the exercise of functions of the Crown, a Minister of the Crown or that government department.

Storing student data

We hold student data for:

Type of Record	Minimum Retention Period
FACILITIES	
CCTV recordings	One month (or until hard drive is full). CCTV recordings may be burnt to disc and held pending investigation
Financial records (including purchase and sales invoices, bank statements, receipts, payment requests and supporting documents, journals, reports and accounts – electronic and hard copy)	7 years after end of the financial year to which the records relate
ENQUIRIES, APPLICATIONS, ADMISSIONS & INDUCTION	
Records documenting the handling of enquiries from prospective students	1 year after course ends
Records documenting the handling of applications for admission: unsuccessful applications	1 year after course ends
PAPERBASED STUDENT FILES COLLATED DURING ACADEMIC CAREER	
Full student records, including documents relating to:	6 years after course ends unless directly or indirectly (match) funded by the ESF
· Application/admission	

Type of Record	Minimum Retention Period
<ul style="list-style-type: none"> · Enrolment/Learning agreement/Files 	<p>where documents need to be retained until 31st December 2030</p>
<ul style="list-style-type: none"> · Employer Liability/H&S (apprenticeships) 	
<ul style="list-style-type: none"> · Contact/Attendance (paper based) 	
<ul style="list-style-type: none"> · Change of personal details 	
<ul style="list-style-type: none"> · Diagnostic/Assessments/ILP 	
<ul style="list-style-type: none"> · Qualifications on Entry 	
<ul style="list-style-type: none"> · Transfer, withdrawal or termination of studies 	
<ul style="list-style-type: none"> · Academic achievements 	
<ul style="list-style-type: none"> · Reference requests/responses 	
ELECTRONIC STUDENT FILES COLLATED DURING ACADEMIC CAREER	
<p>Scanned copy of full student records including documents relating to:</p>	<p>10 years after course ends unless directly or indirectly (match) funded by the ESF where documents need to be retained until 31st December 2030.</p> <p>This period may be extended – check before destroying records.</p>
<ul style="list-style-type: none"> · Application/admission 	
<ul style="list-style-type: none"> · Enrolment/Learning agreement/Files 	
<ul style="list-style-type: none"> · Employer Liability/H&S (apprenticeships) 	
<ul style="list-style-type: none"> · Contact/Attendance (paper based) 	
<ul style="list-style-type: none"> · Change of personal details 	
<ul style="list-style-type: none"> · Diagnostic/Assessments/ILP 	
<ul style="list-style-type: none"> · Qualifications on Entry 	
<ul style="list-style-type: none"> · Transfer, withdrawal or termination of studies 	
<ul style="list-style-type: none"> · Academic achievements 	<p>10 years after course ends unless directly or indirectly (match) funded by the ESF where documents need to be retained until 31st December 2030.</p> <p>This period may be extended – check before destroying records.</p>
<ul style="list-style-type: none"> · Reference requests/responses 	
<ul style="list-style-type: none"> · Reference requests/responses 	
NETWORK ACCOUNT CREATION	
<ul style="list-style-type: none"> · Student Network account 	

Type of Record	Minimum Retention Period
· Student Home Area	Current academic year or length of programme, plus 3 months.
· Student OneDrive account	
MOODLE	
Student account	Current academic year plus 3 months or length of programme.
e-ILP	
· Personal details	1 academic year plus the current year.
· Course details	
· Quals on entry	
· Exam results	
· Attendance records	
· Additional notes	
· Progress reviews	
· Learning plan	
· At risk comments/flag	
· Additional Support meetings/strategies	
· Disciplinary details	
· SMART Targets	
PROGRAMME & EXAMINATION ADMINISTRATION (inc Work/Study Placements)	
Documents referring to coursework marks/grades and assessment.	6 years after course ends
Electronic records of coursework assessment marks/grades held within ProMonitor Markbook.	6 years after course ends
Electronic records of coursework assessment marks/grades held outside of ProMonitor Markbook.	6 years after course ends
Records documenting organisation of students' work/study placements.	6 years after course ends

Type of Record	Minimum Retention Period
Records documenting organisation of examination facilities (inc. special arrangements); attendance at examinations; handling of impaired performance claims; collation and notification of results.	6 years after course ends
QUALITY ASSURANCE	
Records documenting the conduct and results of disciplinary proceedings against individual students.	6 years after course ends.
Records documenting the handling and results of academic appeals by individual students.	6 years after course ends.
Records documenting the handling of formal complaints & compliments made by individual students.	Last action on complaint plus 6 years.
Records documenting the handling of complaints made by individual students where formal complaints procedure is not initiated.	Last action on complaint plus 3 years.
Electronic and paper School Monitoring Meeting Records.	Current Academic Year plus 5 years.
Electronic records of EV Reports.	Current Academic Year plus 6 years.
Electronic and paper records of IQR reports.	Current Academic Year plus 5 years.
STUDENT SERVICES	
Bursary fund claims and payments	6 years after the end of the course.
Learning Support records	6 years after the end of the course.
Additional Support records	6 years after the end of the course.
Safeguarding documents/records	Copies of reports, notes etc. should be kept securely locked at all times and then retained until the 25 th anniversary of the child's birth, or if the child dies

Type of Record	Minimum Retention Period
	before age 18, for 6 years from the date of death.
	Copies of reports, notes etc. for 'Children Looked After' are to be kept for either the 75 th anniversary of the child's birth, or if the child dies before age 18, for 15 years from the date of death.
	Copies of reports regarding allegations made against staff shall be kept securely until at least the 25th birthday of any child or seven years in any other case.
	Records should then be securely disposed of and a record of disposal kept. Paper records should be shredded and electronic records deleted.

Who we share student information with

We share student information with:

- Parents, Guardians and Carers if you are aged under 18
- Education Skills Funding Agency (ESFA)
- Office of Standards in Education (OFSTED)
- the Department for Education (DfE)
- Department of Works and Pensions
- Office for Students (OfS) -formally known as Higher Education Funding Council for England (HEFCE)
- Prospects (National Careers Service)
- Local and Combined Authorities in England

- Government agencies such as the Home Office, UK Visas and Immigration, Police (including PREVENT counter terrorism) and Social services if deemed necessary (such as safeguarding of young people and vulnerable adults) and within the confines of legislation.
- Work experience and placement organisations
- Employers of students who sponsor learning
- Employers of apprentices
- Employer of other funded work based learning

Why we share student information

We do not share information about our students with anyone without consent unless the law and our policies allow us to do so.

We share students' data with the Education Skills Funding Agency (ESFA), Office for Students (OfS) formally known as the Higher Education Funding Council (HEFC) and the Department for Education (DfE) on a statutory basis. This data sharing underpins College funding and allows the ESFA and DfE to perform statutory functions on behalf of the Secretary of State as set out in the Apprenticeships, Skills, Children and Learning Act 2009 and for the exercise of functions of the Crown, a Minister of the Crown or that government department.

We share information such as students' attendance and details of their progress with parents, guardians and carers unless the student (aged 16-18) specifically asks us not to.

How the Education Skills Funding Agency (ESFA) uses your personal data:

ESFA Privacy Notice (2017 to 2018 Version 2 – Published February 2018)

How We Use Your Personal Information

This privacy notice is issued by the Education and Skills Funding Agency (ESFA), on behalf of the Secretary of State for the Department of Education (DfE). It is to inform learners how their personal information will be used by the DfE, the ESFA (an executive agency of the DfE) and any successor bodies to these organisations. For the purposes of relevant data protection legislation, the DfE is the data controller for personal data processed by the ESFA.

Your personal information is used by the DfE 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 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 the Data Protection Act 1998 data protection legislation.

The English European Social Fund (ESF) 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.

You can opt out of being contacted for other purposes by ticking any of the following boxes if you do not wish to be contacted. Please indicate Yes or No for each contact reason and type:

Student ID	
Student Name	

Contact reason	Contact Type	Yes	OR	No
About courses or learning opportunities	By post			
	By phone/SMS			
	By e-mail			
For Surveys and research	By post			
	By phone/SMS			
	By e-mail			

Further information about use of and access to your personal data, and details of organisations with whom we regularly share data, are available at: information about how long we retain your data, and how to change your consent to being contacted, please visit:

<https://www.gov.uk/government/publications/esfa-privacy-notice>

How the Office for Students (OfS) uses your personal data if you are a Higher Education (HE) student:

OfS registration process privacy notice

The General Data Protection Regulation (GDPR) requires that clear and transparent information is provided to individuals about the use(s) that will be made of their personal information:

“The principle of transparency requires that any information and communication relating to the processing of those personal data be easily accessible and easy to understand, and that clear and plain language be used.” (GDPR Recital 39)

To fulfil this obligation, we are employing a layered approach to privacy notices where a short form overview is provided as well as a full detailed privacy notice.

Short form summary privacy notice

Here is a short summary of how the personal information you submit for the purpose of registering with the OfS will be held and used:

- Personal information will be used for the purpose of the registration process
- The Data Controller of the personal information you submit will be the Office for Students (OfS).
- The legal basis for processing your personal information is to comply with the OfS’s legal obligations and in the performance of a public task.
- It will be stored on secure servers within the UK or the EEA.
- It will not be routinely shared with any other organisations except where described in the full privacy notice.
- Personal information will be subject to the retention schedule set out in the full privacy notice.
- You have certain rights in relation to your personal information, set out at: <https://www.officeforstudents.org.uk/contact/how-to-request-information-from-us/how-to-make-a-request-to-access-your-personal-information/>

You may contact our Data Protection Officer (dp@officeforstudents.org.uk) with any queries or concerns you have about the use of your personal information.

Further information about use of and access to your personal data, and details of organisations with whom we regularly share data, information about how long we retain your data, and how to change your consent to being contacted, please visit:

<https://www.officeforstudents.org.uk/Privacy/Extranet/>

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 the College Data Protection Officer:

Mr Steve Rankine

Northampton College

Booth Lane

Northampton

NN3 3RF

EMAIL: steve.rankine@northamptoncollege.ac.uk

Telephone: 01604 734567

You will be asked to complete the proforma to assist with the College with your request.

You can ask for your data in either an electronic or paper-based format.

We will respond to your request within one month of receiving your request

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
- 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 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/>

How to change your details

You can change your personal details and ESFA contact details anytime by completing the Change of Details on-line form (via Moodle or the College website) or complete a paper version available at Student Data Services (H BLOCK, Booth Lane) or for some aspects of data via your e-ILP.

If you wish the College to share your details with another organisation or person not listed on this privacy notice, you will need to complete an authority to divulge proforma which are available from the Student Data Services department (H BLOCK, Booth Lane).

Changing your mind about non-mandatory data collection

Whilst the majority of student information you provide to us is mandatory, the contact information when you making an enquiry, attending an open event or applying for a course is voluntary. You can change contact options anytime by completing the Change of Details on-line form (via Moodle or the College website) or complete a paper version available at Student Data Services (H BLOCK, Booth Lane)

Contact

If you would like to discuss anything in this privacy notice, please contact the College Data Protection Officer, Steve Rankine.