

## Privacy Notice – General (Non Staff or Students)

**Data controller: Kirklees College, Waterfront Quarter, Manchester Road, Huddersfield HD1 3LD**

**Data Protection Officer: J Green - contact at 07738 973114 or [GDPR@kirkleescollege.ac.uk](mailto:GDPR@kirkleescollege.ac.uk)**

### 1. Introduction and Background

1.1. Kirklees College is committed to transparency about its collection and use of personal data and to meeting its data protection obligations. This privacy notice explains how we collect, store and use personal data about individuals who interact with us or work with us in a voluntary capacity, i.e. all individuals who are not members of staff or students, such as governors, consultants, volunteers, parent/carers, next of kin, emergency contacts, service users/customers, contractors, assessors, visitors and members of the public.

### 2. What information about you does the College process?

2.1. We may collect and process a range of information. This includes but is not restricted to:

- **Contact details** such as your name, address and contact details, including email addresses and telephone numbers, next of kin and emergency contacts;
- **Personal non-contact details** such as your date of birth, age, sex, photographs, video imaging, passport details, visa details, driving licence details;
- **Financial information** such as your bank details, credit card details, national insurance number and purchase history;
- **Lifestyle information** such as dietary requirements, hobbies, other preferences;
- **Location** e.g. physical or electronic information which identifies your location;
- **'Special Categories of Data'** which may include information about racial and ethnic origin, religion, politics, trade union membership, genetic and biometric data (e.g. fingerprints used for ID purposes), health, mental health, physiological and disability information, sexual orientation, behavioural characteristics, social identity, cultural background, facial images, philosophical beliefs and economic data;
- **Online/Unique identifiers** such as ID codes, online/website details e.g. usernames, passwords, session IDs, geo locations, device/pps ID, IP addresses, cookies, RFI tags;
- **References and employment details** such as the name and address of your employer and your employment history, including start and end dates;
- **Academic and professional information** such as details of your exam results, qualifications, skills, experience, training, mandatory and voluntary professional body memberships, accreditations, certifications;
- **Information about business and pecuniary interests;**
- **Complaints/grievances details** such as student, staff, public and other complaints to which you are a named party or involved in the investigation process;
- **Health & Safety information** such as accident records, risk assessments, occupational health records, personal protective equipment records, industrial disease monitoring, insurance and legal claims, disability and access requirements;
- **Criminal and conviction information** such as Disclosure Barring Service (DBS) checks and disclosures provided to us (see below) and other notifications; and
- **Information obtained from any performance appraisals** including self-assessments.

2.2. We collect this information in a variety of ways. For example, through paper and online forms, CVs or resumes; from your passport or other identity documents such as your driving licence; from correspondence with you; or through interviews, meetings (including teleconferencing and videoconferencing) or other assessments. Some of your personal information may be provided to us by other sources, for example staff and students may provide your details as emergency contacts or our contractors may provide details of their staff.

### **3. Why does the College process personal data?**

3.1. Collecting and processing personal data enables us to comply with our various legal and contractual obligations and conduct our business activities, for example:

- administration and management of our contractual relationship or membership (pre, during and post-contract/appointment), including the maintenance of accurate and up-to-date records and contact details (including next of kin and emergency contact);
- collection and payment in relation to the contract, expenses, provision of goods;
- administration and delivery of meetings, training sessions, conferences, webinars, events and workshops;
- qualification/academic checks, such as references, DBS checks, visas, right to work in the UK, driver checks;
- succession planning for roles, committees, panels, offices;
- compliance with our duties to individuals with disabilities;
- providing a safe and secure environment through compliance with Health & Safety law;
- making appointments, bookings and subscriptions on your behalf;
- dealing with assessor administration e.g. invoices, CVs and CPD for the purposes of external quality assurance in relation to their occupational competence to assess students' work;
- providing access to campus buildings and systems where applicable;
- compliance with our responsibilities for safeguarding and the Prevent Agenda;
- taking photographs for the purpose of providing an ID card where applicable;
- following up on enquiries from you, visits to open days, non-attendance of interview/enrolments;
- recording entry and exit to our buildings/campuses;
- use of CCTV recording and photographic images for safety and security purposes;
- to assist in the detection, investigation and prevention of crime;
- compliance with our GDPR Data Subject Access Request and Individual Rights obligations;
- alumni membership and fundraising;
- other fundraising initiatives;
- Government, regulatory/funding body or awarding/validating body data collection returns;
- compliance with the Equality Act 2010, including the Public Sector Equality Duty;
- promotion of events, campaigns, charitable causes or services that may be of interest.

### **4. Our lawful bases for processing personal data**

4.1. We only collect and use personal data when the law allows us to. Most commonly, we do so to comply with a legal obligation or carry out a task in the public interest. We may also collect and use personal data where:

- you have given us consent to use it in a certain way;
- we need to protect your vital interests (or someone else's interests); or
- we have legitimate interests in processing it.

4.2. Where you have provided us with consent to use your personal data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

4.3. Some of the reasons listed above for collecting and using personal data about you overlap, and there may be several grounds which justify our use of your personal data.

4.4. Where we ask you for information for which we do not have a contractual or legal basis for processing, we will either tell you the legitimate basis for processing or obtain your consent.

## **5. Who has access to data?**

- 5.1. Your personal data may be shared internally, including with tutors, administrative staff, managers in the business, consultants, contractors, governors and IT staff if access to it is necessary for the purposes of the legitimate interests pursued by the College or by a third party, where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the College (where we are carrying out our statutory obligations) or otherwise with your consent.
- 5.2. We may share your personal data with third parties in order to obtain pre-appointment references, carry out background checks and obtain necessary criminal records checks from the Disclosure and Barring Service.
- 5.3. Where we use third party processors or transfer personal data to a country or territory outside the UK, we will do so in accordance with relevant data protection law.

## **6. How we store and protect personal data**

- 6.1. We take the security of personal data seriously. Personal data is stored and disposed of in accordance with our Information Security Policy and our Document Retention Policy and Schedules.
- 6.2. We maintain files to store personal information about specific groups of people for example governors, consultants, volunteers, parent/carers, next of kin, emergency contacts, service users/customers, contractors, assessors, visitors and members of the public. The information contained in these files is kept secure and is only used for purposes directly relevant to your work with us.
- 6.3. Some of our meetings, training sessions, conferences, webinars, events and workshops are recorded. Any recordings will be retained and disposed of in accordance with defined timetables set out in our disposal schedule.
- 6.4. We have internal policies and controls in place to ensure that your personal data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by appropriate individuals in the performance of their duties.
- 6.5. We use videoconferencing software, predominantly Microsoft Teams but also other platforms, to deliver and manage online meetings, training sessions, conferences, webinars, events and workshops, allowing participants to log in and attend, or in some cases view the content later. Any personal information you submit when you register with Microsoft Teams, Skype etc. will be stored by and accessible to that platform. Please only submit personal information which you are happy to have processed. The privacy policy for Microsoft is:
  - <https://privacy.microsoft.com/en-GB/privacystatement>
- 6.6. We do not share information about you with any third party without your consent unless the law and our policies allow us to do so. To enable us to comply with our legal and contractual obligations, we may need to share some of your personal information (and in some instances special categories of data) as follows:
  - HM Revenue & Customs;
  - Local Authority/Local Safeguarding Board/Social Care Teams/LADO - for safeguarding purposes;
  - Disclosure and Barring Service – to obtain a DBS check to check for criminal convictions and offences;
  - Police and Enforcement Agencies – to assist in the detection, investigation and prevention of crime this includes the Courts and Coroner Service;
  - in connection with external quality assurance;
  - emergency services in the event of an emergency;
  - Health & Safety Executive to report accident information/investigation purposes;
  - recruitment and employment agencies;
  - previous and future employers/referees – pre and post contract and governor checks;

- external training and travel providers – booking and administration purposes;
  - business system providers/suppliers and service providers e.g. Microsoft Outlook/365 e.g. login details/file storage/card and online payment systems;
  - Suppliers and service providers and professional advisers and consultants – to enable them to provide the service we have contracted them for;
  - In connection with Freedom of Information or Environmental Information Requests or Data Subject (or authorised representative) Access Requests e.g. information which may be contained within emails, documents, systems, paper and electronic records/filing systems and other forms of media, this may include work email address(es), work contact details and also the disclosure of information of which you were the author or to which you have contributed. This includes deleted and archived personal information which is still accessible;
  - Information Commissioner’s Office (ICO) (complaints/breaches investigations);
  - Internal and external auditors (e.g. Financial accountants/HMI Inspectors);
  - Government departments or agencies for government audits, reviews, compliance with funding requirements, and data collection requirements such as research, analysis, statistics, equality & diversity and benchmarking purposes.
- 6.7. Depending on your role in the College and/or your relationship with us, we may be required to share your personal information with government departments and agencies for example the Education & Skills Funding Agency, to enable them to contact you directly.

## **7. Your duty to inform us of changes**

- 7.1. It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes.

## **8. Your Rights as a Data Subject**

- 8.1. As a data subject, you have a number of rights:

- To informed about your rights as a data subject and about how we collect and process your personal information and the purposes we intend to use it for
- To access and obtain a copy of your data on request;
- To require us to change incorrect or incomplete data;
- To be forgotten, provided that our legitimate interest to hold your information does not override your legitimate interest in being forgotten;
- To require us to delete or stop processing your data;
- To data portability;
- To object to the processing of your data where we are relying on legitimate interests as the legal ground for processing; and
- Not to be subject to a decision based solely on automated processing, including profiling.

- 8.2. If you would like to exercise any of these rights or if you are dissatisfied with the way we have handled your personal data or responded to a request to exercise your rights as a data subject, please contact [GDPR@kirkleescollege.ac.uk](mailto:GDPR@kirkleescollege.ac.uk).

- 8.3. If you are dissatisfied with the way we have handled your complaint or request and want to make a complaint, you may write to the Information Commissioner, who is an independent regulator. Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts. The Information Commissioner can be contacted at:

Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 08456 30 60 60 or 01625 54 57 45

Fax: 01625 524510

Website: <https://ico.org.uk>