

## **Privacy Notice Students and Apprentices – How we use your personal data**

**Data Controller:** Kirklees College, Manchester Road, Huddersfield, HD1 3LD

**Data Protection Officer:** Jo Green, [GDPR@kirkleescollege.ac.uk](mailto:GDPR@kirkleescollege.ac.uk)

This notice explains how we collect, store and use student and apprentices' personal data.

### **The information we collect and process may include:**

<b>Type of data</b>	<b>Examples (not an exhaustive list)</b>
Contact details	full name, address and contact details, including personal and work email address(es) and personal and telephone number(s)
Personal non-contact details	date of birth, age, sex, photographs, video imaging, voice recording, passport details, visa details, driving licence
Financial information	student loan, bursary, funding agreement, free school meals status, travel assistance, benefits information, employment status, bank details, credit/debit card details, debts/overdue charges, purchase history
Lifestyle information	dietary requirements, hobbies and activities, other likes/dislikes/preferences, etc.
Location	physical or electronic information which identifies your location, including ID card building access data
'Special Categories of Data'	depending on what you choose to share with us, this may include race, ethnic origin, nationality, political opinions, religious or philosophical beliefs, trade union membership, health, mental health, physiological and disability information, sex life and sexual orientation, biometric data (e.g. fingerprints used for ID purposes), behavioural characteristics, social identity, cultural background, facial images, and economic data
Online/Unique identifiers	student ID codes, Unique Learner Number, online/ website details e.g. usernames, passwords, session IDs, geo locations, device ID, IP addresses, cookies, RFI tags
Course information and exam timetable information	details of the courses you are or have been enrolled on and exam information
Student work	paper and electronic based worksheets, books, assessments and exam papers, academic progress, grades
Behaviour and attendance	behaviour and attendance data
Learning Support Information	learner support, wellbeing and other data required to keep you safe and support your development
References	school/college/university and character references and employment details
Parent/Guardian/ Next of Kin/Emergency Contact	the details held will depend on whether you are under 18
Main school details	if you attend the college as part of an off-school site provision
Social Worker details and other professionals linked to your care	if any
Academic information	exam results, qualifications, academic achievement, mandatory and voluntary professional body memberships, accreditations, certifications, training records, Individualised Learner Record (ILR) data

Complaints/Grievances	details from student, staff, public and other complaints to which you are a named party or involved in an investigation
Health and Safety information	such as accident records, risk assessments, occupational health records, personal protective equipment records, industrial disease monitoring records; insurance and legal claims, disability and access requirements
Criminal and Conviction Information	e.g. Disclosure Barring Service checks and disclosures provided to us (see below) and other notifications (certain courses and placements require DBS checks to be carried out)

### Collecting and Storing this information

We collect information in various ways, for example, application forms, CVs or resumes, by email or verbally; from your passport or other identity documents such as your driving licence; from correspondence with you; or through interviews, meetings or other assessments.

We may collect your personal information from other sources, for example when you provide your details for marketing purposes, register for events, register as a student, or provide us with any other information during your course or apprenticeship. Your personal information may also be provided to us by various third-party sources, which may include your legal guardian, current or former school, college or university, past, apprenticeship and course providers, current and future employers and placement providers, UCAS, student loan companies, Connexions and other careers services and other institutions involved in joint programmes and sometimes we purchase personal data contact lists.

Data will be stored securely in a range of places, including in the College's student management systems and in other IT systems (including the College email system).

### Why does the College process personal data?

Some of the reasons listed below for collecting and using personal information about you overlap and there may be several grounds which justify our use of your data. In the majority of cases, our basis for collecting student and apprentice personal data is 'public task', i.e. to conduct our core education provider and business activities, for example:

- To administer courses, education and training services and facilitate student learner agreements and course progression, participation and completion;
- To administer our student recruitment, offer and enrolment procedures;
- To perform checks in connection with enrolment onto courses and training which may include obtaining references, details about prior professional qualifications and academic checks, DBS checks, Criminal offence and conviction data from Police and other partners, Visas, Right to Work in the UK (for apprentices), Driver Checks;
- To enable us to work in partnership and share necessary information with professional advisers, employers, partner agencies, voluntary initiatives and programme representatives such as attendance details and progress updates;
- To enable us to work with Connexions and other careers services;
- To enable us to speak to parent/carers/legal guardians and next of kin as necessary;
- To enable us to collect and make payments in relation to courses, education and training services, expenses, provision of goods and library and ID card fines etc.;
- To enable us to record your destination upon leaving the college e.g. continuing education elsewhere or employment;
- To enable us to deal with student finance administration, funding agreements, financial assistance and bursary applications;
- To help us identify vulnerable learners and learners who may benefit from additional support;
- To enable us to provide mandatory training and voluntary training where necessary;
- To enable us to distinguish between home and overseas students by origin;

- To enable us to fulfil our obligations in relation to the provision of Special Education Needs support for example, participating in Educational Health Care Plans and meetings, providing additional Learner Support and carrying out risk assessments;
- To provide access to college systems;
- To take photographs for the purpose of providing a Student ID card
- To produce exam and achievement certificates, exam timetables and registration and administration of exams, academic qualifications, awards and accreditation;
- To inform the development of student and apprentice recruitment and retention policies;
- To collate data collection/statistical returns to the other funding bodies, validating/awarding bodies and partnership agreements.
- To enable us to share personal data where required with the ESFA and other services run by the ESFA, DfE and partner organisations (where the law allows it or we have a legal obligation to do so) for the purposes of:
  - Administration, for example to enable the Learning Records Service (LRS) to issue you with a Unique Learner Number (ULN);
  - Submission of individualised learner records (ILRs). The data collected is used to calculate funding due to Further Education providers, for performance monitoring, future planning and to ensure that public money is being spent in-line with government targets;
  - Provision of career and other guidance;
- To record entry and exit to our buildings/campuses;
- To use CCTV recording and images and to monitor the use of our ICT network and systems for safety and security purposes and grievance/disciplinary investigations;
- To plan for the safe and efficient movement of people and traffic on and around our campus;
- To keep track of our ICT hardware and other equipment;
- To protect our assets and assist in the detection, investigation and prevention of crime.
- To comply with various legal and contractual requirements such as:
  - HMRC Income Tax and National Insurance Requirements ([www.gov.uk](http://www.gov.uk))
  - Public Liability Insurance Health and Safety
  - Health and Safety at Work etc. Act 1974 (and associated regulations/codes of practice)
  - Equality Act 2010 Safeguarding/Education
  - Prevent Duty
  - Section 175 of the Education Act 2002
  - Further and Higher Education Act 1992
  - Higher Education and Research Act 2017
  - 'Keeping children safe in education Statutory guidance for schools and colleges' guidance ([www.gov.uk](http://www.gov.uk)) and adult safeguarding guidance

We process personal data to protect the vital interests of data subjects:

- To respond to medical emergencies;
- To process next of kin/emergency contacts details.

We also process personal data with your consent (which you may withdraw at any time by emailing [GDPR@kirkleescollege.ac.uk](mailto:GDPR@kirkleescollege.ac.uk)):

- In connection with Alumni (past students) Membership and fundraising initiatives;
- For marketing purposes, to share details of products and services that may be of interest.

### **Our lawful bases for using this data**

We only collect and use your personal data when the law allows us to. Most commonly, we use it where we need to:

- Carry out a task in the public interest;
- Comply with a legal obligation; or
- Comply with a contractual obligation.

Less commonly, we may use personal information about you where:

- We have (or a third party has) a legitimate interest in processing it;
- You have consented;
- We need to protect your vital interests (or someone else's).

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.

### Who has access to your data?

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 and to enable the conduct of business, we may need to share some of your personal information as follows:

Your information may be shared internally with college staff where this is necessary for the performance of their roles.

If you are under 18, we will share details of your education with those who have parent responsibility for you, unless you notify us of a valid reason why we should not do this or we have been advised by our safeguarding team, Social Services or another official agency of a reason not to do so; the information shared will include behaviour, attendance, academic progress, learner support, wellbeing and other details required to keep you safe whilst you attend college.

We will not discuss application details or outcomes with anyone other than the prospective student or apprentice, unless they have given us consent to do so, or are of an age that requires parental consent.

Police and Enforcement Agencies – to assist in the detection, investigation and prevention of crime this includes the Courts and Coroner Service, please note that we will provide where requested student names, addresses, contact details, next of kin or parent/carer/legal Guardian details and confirmation of attendance as part of routine police enquiries or as part of our onsite college Police liaison agreement. Any details other than these will only be provided on receipt of a signed Police/Enforcing Body Disclosure Request unless the urgency of the incident requires immediate disclosure.

Professional advisers, partner and support agency representatives e.g. Stronger Families Programme, Connexions and other career services, social workers and medical professionals, voluntary and charitable organisations and in connection with other programmes and initiatives.

Trade, employers, education institutions and professional organisations in connection with reference requests and sharing of information in relation to courses funded by employers, placements, work experience, career opportunities and outreach and widening participation initiatives.

To enable us to move you to another education provider in the event of a change of Contracted or Sub-Contracted education provider.

UCAS.

Emergency services in the event of an emergency.

Health and Safety Executive – to report any accident information/for investigation purposes.

Main school/Pupil Referral Unit - we will share details regarding attendance and behaviour if you attend the college as part of an off school-site provision.

Trade Unions/Governors/validating and examining bodies, insurers/legal representatives, professional bodies - details may be shared in connection with student and/or employee complaints, disputes, grievance, disciplinary and malpractice investigations.

Educators, examining bodies, other validating and awarding bodies in connection with registration,; administration and moderation in relation to examination and awarding qualifications, awards and accreditations.

As an examination centre, we must provide candidate personal data (name, date of birth, sex) to the awarding bodies for the purpose of examining and awarding qualifications, and that such personal data, together with the examination results.

External Education/Training and Travel Providers for booking and administration purposes.

Kirklees College Student Union for the purposes of administering Student Union Membership and access to Student Union services.

Suppliers and third-party data processors to enable them to provide the service we have contracted them for e.g. payments/login details/course resources and file storage.

Third parties at your request for confirming your student status, course details and other details as required e.g. financial status e.g. Council Tax Reduction Scheme.

Disclosure and Barring Service – to obtain a DBS check to check for criminal convictions and offences (certain courses and placements require DBS checks to be carried out before we can place you with certain employers for apprenticeships or placements.

In connection with DSAR requests (Data Subject or Authorised Representative) 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 email address(es), 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)

Education, government departments (including local government) and agencies for audits, reviews, to comply with legal, funding and data collection requirements e.g. mandatory school attendance, research/analysis/statistics/equality & diversity, benchmarking purposes.

### **How does the College protect data?**

We have robust internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not inappropriately accessed.

### **Third Party Processors and Transferring Data Internationally**

Where we engage third parties to process personal data on our behalf, they do so on the basis of our instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

Where we transfer personal data to a country or territory outside the UK and the European Economic Area, we will do so in accordance with data protection law.

### **For how long does the College keep data?**

We will only retain what is necessary in accordance with our Data Retention Policy, which sets out our internal retention and statutory guidelines. Some information must be kept for statutory reasons for example, Health and Safety records and financial records; this can also apply after your studies end. Our CCTV camera footage is kept for up to 60 days after which point it will be overwritten unless it is required for some evidential purpose or we have received a data subject access request, in which case it will be retained until the matter has been resolved.

### **Use of your personal information for marketing purposes**

Where you have given us consent to do so, we may send you marketing information by e-mail or text promoting events, campaigns, charitable causes or services that may be of interest to you. You can "opt out" of receiving these texts and/or e-mails at any time by clicking on the "Unsubscribe" link at the bottom of any such communication, or by contacting the contact details on the subscription form or contact the Marketing Team or Data Protection Officer.

## Your rights

As a data subject, you have a number of rights, which our GDPR Policy explains in detail:

- The right to be informed;
- The right of access and to obtain a copy of your personal data on request;
- The right to require the college to change incorrect or incomplete data;
- The right to require the college to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- The right to object to the processing of your data where the organisation is relying on its legitimate interests as the legal ground for processing.
- The right to data portability; and
- Rights in relation to automated decision making and profiling.

If you would like to exercise any of these rights, please contact [GDPR@kirkleescollege.ac.uk](mailto:GDPR@kirkleescollege.ac.uk). Please note that exemptions may apply when making a request to exercise your rights, for example where we have to retain or process information for legal purposes. For more information on your personal data rights visit [www.ico.org.uk/your-data-matters](http://www.ico.org.uk/your-data-matters).

## Your duty to inform us of changes

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

### How to access the personal information we hold about you

Individuals have a right to make a 'Data Subject Access Request' to gain access to personal information that we hold about them. Please refer to our website for more information on how to make a request, or contact our Data Protection Officer at [GDPR@kirkleescollege.ac.uk](mailto:GDPR@kirkleescollege.ac.uk).

## Concerns and Complaints

We take concerns and complaints about our collection and use of personal data very seriously. If you wish to query anything within this privacy notice or think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance. Contact our Data Protection Officer at [GDPR@kirkleescollege.ac.uk](mailto:GDPR@kirkleescollege.ac.uk). Alternatively, or if you are not satisfied by the College response to your concern or complaint, you can contact the Information Commissioner. Information on how to do this is available at <http://ico.org.uk/complaints>.

## Changes to this privacy notice

We will keep this privacy notice under regular review and will place any updates on our website.

November 2022