

## PRIVACY NOTICE FOR STUDENTS

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| <b>College Name:</b>                | Coulston Sixth Form College  |
| <b>College DPO Contact Details:</b> | Data Protection Lead and Officer<br><a href="mailto:dpo@coulston.ac.uk">dpo@coulston.ac.uk</a> |
| <b>Name of Document (DP1):</b>      | Privacy Notice For Students  |
| <b>Topic:</b>                       | GDPR – Data Protection   |
| <b>Date:</b>                        | 25 May 2018  |
| <b>Version:</b>                     | 1  |

### 1. Why have we given you this privacy notice?

Coulston Sixth Form College is a data controller for the purposes of the General Data Protection Regulations (GDPR) which takes effect on 25 May 2018 and this notice serves to inform you of the legal and lawful basis for which we process personal and sensitive data we hold about students.

We process, collect and use personal information about students under “**Article 6**” (public tasks) and “**Article 9**” (public interests) of the General Data Protection Regulation (GDPR).

- **Article 6(1) (b)** processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.
- **Article 9(2) (b)** processing is necessary for the purpose of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.

**Note: We have a legal duty under GDPR to ensure that any personal data we process, collect and use is handled and stored securely**

### 2. Why we collect data? we collect your data to:

- Support students’ learning
- Monitor and report on progress and destination
- Provide appropriate pastoral care
- Assess how well the College as a whole is doing
- Comply with the law regarding data sharing

### **3. What type of data are we likely to collect, use and share with other organisations?**

- Name, address, parent/carers' details, unique learner number (ULN)
- Relevant medical information
- Special educational and support needs
- Destination data
- References
- Safeguarding, child protection (LAC) and DBS information
- Exclusions and behavioural information
- Assessment and qualification information
- Prior and Post-16 learning information
- Characteristics (such as ethnicity, language, nationality, date of birth and bursary application)
- Attendance and punctuality information (such as sessions attended, number of absences, absence reasons, number of lateness and lateness reasons)
- Photographs

### **4. Why is it important that we collect student data?**

The majority of the information you provide to us is mandatory, of legitimate interest and legally required by law for us to carry out our contractual obligations to you. However, sometimes we will ask for your consent to acquire specific and unambiguous information from you voluntarily. For example, where disclosure of learning support need has been declared but the student has declined some and/or any additional support.

Furthermore, in order to comply with GDPR legislation, we will inform you whether you are required to provide certain information to us and/or if you have a choice in this. It is important to note that we do not share information about our students with anyone without consent unless the law and our policies allow us to do so.

### **5. How do we store student data?**

Any personal data we collect and process will be stored securely on our servers and/or filing systems that are password protected and/or locked.

### **6. Why do we share personal information with third parties?**

We are required, by law, to pass some information about our students to the Department for Education (DfE) under regulation 5 of The Education (Information About Individuals Students) (England) Regulations 2013. However, it is important to note that, we will not give information about our students to anyone without the student's consent unless the law and our policies allow us to do so.

We also routinely and occasionally share information with other agencies prescribed by law, such as the Qualifications and Curriculum Authority (QCA), the Joint Council for Qualifications (JCQ) and/or Examination boards, Ofsted, the Education and Skills Funding Agency (ESFA), the Department of Health (DH), Primary Care Trusts (PCT), IT/Payroll contractors and valid organisations (i.e. Police, Social Services, Educational Psychology Department and Children & Adolescent Mental Health Services (CAMHS)) and work placement provider that require access to data in the Learner Registration System. All these are data controllers in respect of the data they receive, and are subject to the same legal constraints in how they deal with the data we provide to them.

For more information about the data collection requirements placed on us by the Department for Education go to <https://www.gov.uk/education/data-collection-and-censuses-for-colleges>.

For more information about the Department's data sharing process, please visit:

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

At Coulsdon Sixth Form College, we are required by law to pass on certain information of students aged 16+ to providers of (youth) support services in your area. This is the local authority support service for young people aged 13-19 in England Section 507B of the Education Act 1996. For example, where disclosure of learning support need has been declared, we are required to provide the names and address of you and your parents/carers, along with any further information relevant to the support services' role.

However, if you are over 16, you or your parents/carers can ask that no information beyond names, addresses and your date of birth can be passed to the support services. Please note that safeguarding and child protection legislations takes precedence over this request. In addition, if you have learning needs and wish to opt out of this arrangement/support, you will need to declare this in writing (signed and dated) and return the letter to Coulsdon Sixth Form College Student Services.

For more information about young people's services, please go to the National Careers Service page at <https://nationalcareersservice.direct.gov.uk/aboutus/Pages/default.aspx>

**7. How can you request access to your personal data?** you can ask us to provide a copy of the personal data we hold:

- If you think the personal data we process is incomplete or inaccurate
- If you consider that there are no lawful basis for us to process your data
- If you object to our lawful basis for processing your data as it relates to a legitimate business or third party interest that you are opposed to

**8. How we process information from prospective applicants?**

Successful applications: Information about successful applications will be added to the student's file. The retention period can be requested in writing via email to [dpo@coulsdon.ac.uk](mailto:dpo@coulsdon.ac.uk). Once the retention period has lapsed, the information will be securely destroyed. Please note that the file will not follow the student if he/she transfers to another Sixth Form College. If an applicant does not enrol in September, then the application form will be securely destroyed after the retention period.

Unsuccessful applications: The retention period is twelve months, in case the student appeals against the College's decision, if the appeal is unsuccessful the information will be securely destroyed. Course query or request for application packs submitted on the website will be automatically deleted after the retention period has lapsed.

**9. How long do we retain data?**

Different laws require us to retain dissimilar data for different periods of time, so your personal data will be kept only for as long as necessary and as long as legally required.

Thereby, it is important to note that we are allowed by law to store all files containing information on students before and/or up to the date of the student's 26th birthday but no longer than is necessary. After that, we destroy/shred the file. For full details of our retention periods, please email [dpo@coulsdon.ac.uk](mailto:dpo@coulsdon.ac.uk) for a copy of our data retention lists.

## 10. Additional rights

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 any concern(s) about the way we collect or use personal data, please email us at [dpo@coulsdon.ac.uk](mailto:dpo@coulsdon.ac.uk) clearly outlining your concerns.

It is advisable that you do not contact the Information Commissioner's Office with a complaint until you have exhausted the process with our DPO lead. However, if you feel we have not addressed any concerns you may have, you have the right to contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>.

### Further Information

If you would like to discuss anything in the privacy notice, please contact: [dpo@coulsdon.ac.uk](mailto:dpo@coulsdon.ac.uk)

### DISCLOSURES

We will advise you at the time, should we wish to disclose your personal data to any other appropriate third party (i.e. newcontractors/partners), and this Privacy Notice will be updated.