

Student Privacy Notice

The New Collaborative Learning Trust vision is to create a culture of protecting privacy and personal data. Personal data is information which 'relates to and identifies a living individual'. Personal data should be adequate, relevant and limited to what is necessary.

WHO DOES THIS NOTICE APPLY TO?

This privacy notice applies to any students enrolled at any of the colleges under the New Collaborative Learning Trust.

DATA CONTROLLER AND COLLECTION

The organisation responsible for looking after your personal data (Data Controller) is the New Collaborative Learning Trust. Student data for each college is managed centrally at New College Pontefract. The College is committed to being transparent about how it collects, uses, stores and deletes data and to meeting its data protection obligations.

WHY DO WE COLLECT AND USE STUDENT INFORMATION?

Students choose to enrol at each of our colleges, and sign a learner agreement. We use student data to support student learning, to monitor and report on student progression, to provide appropriate student support, care and guidance, to assess the quality of our services, In the majority of cases therefore the legal basis for processing is to fulfil the learner contract:

- **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.

We also have a legal obligation to process student data, for example to ensure we meet all statutory requirements of SEND, safeguarding and equality & diversity.

- **GDPR Article 6(1)c and 9(2)b** - Processing is necessary for compliance with a legal obligation to which the controller is subject
- **GDPR Article 6(1)(e) and 9(2)g** – Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

In cases of processing medical information, and in addition to the above, we may also process information for the following legal basis:

- **GDPR Article 6(1)d and 9(2)c** - Processing is necessary in order to protect the vital interests of the data subject or of another natural person

In some cases we may need to process data through your consent or your explicit consent. Where this is the case the Trust will ensure that consent is opt-in, that clear and plain language is used, and we will notify you about your rights to withdraw consent.

- **GDPR Article 6(1)a and 9(2)a** - The data subject has given consent or explicit consent to the processing of their personal data for one or more specific purposes;

We do not undertake any automated decision making.

CATEGORIES OF STUDENT INFORMATION

As a student at college we process your information in order to fulfil our duty to provide you with an education. Our legal basis for processing will therefore come under section 6(1)b Required for Contract, 6(1)c Legal Obligation and in information such as medical information and safeguarding related information will come under section 6(1)d Protects the vital interest of the subject. Information that we process includes:

- Personal information (such as name, unique learner number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Relevant medical information, special educational needs information
- Safeguarding information
- Assessment information
- Post-18 destination information

COLLECTING STUDENT INFORMATION

Whilst the majority of student information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain student information to us or if you have a choice in this.

STORING STUDENT DATA (HOW LONG IS DATA HELD FOR)

We will store student data for no longer than necessary, in accordance with data protection legislation and best practice. Retention of data includes the following:

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| • Student personal information and characteristics | Relationship + 6 years |
| • UCAS references | Relationship + 6 years |
| • Assessment and attendance data | Relationship + 6 years |
| • Special educational needs information | Relationship + 6 years (or until the student is 25) |
| • Safeguarding information | Relationship + 6 years (or until the student is 25) |
| • Post-18 Destinations information | Relationship + 6 years |

WHO DO WE SHARE STUDENT INFORMATION WITH?

We routinely share student information with the following:

- Department for Education (DfE),
- Education and Skills Funding Agency,
- JCQ and examination boards,
- The local authority where the student resides, including services contracted by the local authority in order for them to perform their statutory duty
- We share information with the 6 Dimensions Report, ALPS and UniConnect (otherwise known as *Go Higher West Yorkshire* for students attending at New College Pontefract and New College Bradford, and *HEPSY+* for students attending New College Doncaster) for monitoring student progression.
- Where necessary/appropriate we may need to share information with health related/safeguarding services, approved by the local authority.
- We have a separate legal duty to provide student details to law enforcement agencies in order to prevent or investigate a crime
- We also share information with contracted services, such as our catering, in order to provide day-to-day services to students. In these instances, those organisations that provide a service in college become our data processor, and as such will be subject to a contract detailing their data protection obligations and responsibilities, and in some cases will also be bound by a data sharing agreement.
- **Otherwise, before sharing information with a third party, we will either obtain your consent or establish that the sharing is necessary (which includes ensuring that the data shared is kept to a minimum), fair and otherwise within the law. We will not pass your information to third parties for direct marketing purposes.**

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 this, please email studentservices@nclt.ac.uk who will process the request in partnership with the New Collaborative Trust's Data Protection Officer. 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
- claim compensation for damages caused by a breach of the Data Protection regulations
- make a subject data access request (please see link on website)

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance, or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

DATA PROTECTION OFFICER

If you would like to discuss, or require clarification regarding this privacy notice, please contact the NCLT Data Protection Officer. Enquiries can be forwarded to data.protection@nclt.ac.uk or by calling 01977 702139.