

## NCLT STUDENT PRIVACY NOTICE - COLLEGES

**New Collaborative Learning Trust ensures personal data ('relating to an identifiable a living individual') is only processed where there is a lawful basis to do so, observing the seven processing principles set out under the Data Protection Act and UK General Data Protection Regulation.**

### **Who does this notice apply to?**

This privacy notice applies to any students enrolled at any of the colleges (sites) 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. The Trust is committed to being transparent about how it 'processes' (including collects, uses, stores, deletes, etc.) personal 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:

- To support student learning,
- To monitor and report on student progression,
- To provide appropriate student support, care and guidance, and
- to assess the quality of our services.

In the majority of cases therefore the legal basis for processing is to fulfil the learner 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. We consider this processing is necessary for compliance with our legal obligation. It is our public duty to provide an education to post-16 students in our local area, and so processing is also considered necessary for the performance of a task carried out in the public interest or in the exercise of official authority.

In cases of processing medical information, and in addition to the above, we may also process information in order to protect the vital interests of students or of another 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.

We do not undertake any automated decision making.

### **Categories of student information**

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 which 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, family first)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Relevant medical information
- Any special educational needs information
- Safeguarding information
- Assessment information
- Intervention information
- Career aims
- Post-18 destination information

## Collecting student information

Information is mostly provided by the students themselves; some information is likely to be provided by their parents/cares. Information about students is also provided by their previous school or college, and in some cases, information is provided through the Local Authority and other support services. 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

We will store student data for no longer than necessary, in accordance with data protection legislation and best practice. In some circumstances data could be held longer if this is required for compliance with a legal obligation to which the data controller is subject. Student Data will be stored both in a paper form and electronically, for example in our student management system.

Retention of data includes the following:

- |  |   |
|--|---|
| • 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                              |
|  |   |
| • Data shared with and held by The Office for Students (OfS) and HEAT (the platform for analysing data). | Relationship + 20 years                             |

## Who do we share student information with?

We routinely share student information with:

- The Department for Education (DfE),
- Education and Skills Funding Agency (ESFA),
- Joint Council for Qualifications (JCQ) and individual 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,
- The student's previous school,
- We share information with the 6 Dimensions Report, ALPS and Uni-Connect (otherwise known as *Go Higher West Yorkshire* for students attending at New College Pontefract and New College Bradford, and *Hepp SY* 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 providers,
  - financial service providers (for processing payments)
 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,
- NCLT colleges and schools are based in areas where there is traditionally low uptake to higher education. NCLT works closely in partnership with the University of Hull to help raise aspirations and encourage more young people to consider higher education options. Student data of those participating in activities under this partnership is analysed and is shared between NCLT, the

University of Hull, The Office for Students (OfS) and HEAT (the platform for analysing data). For more information, please see the HEAT privacy notice: <https://heat.ac.uk/privacy-notice/>

- **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. This is known as a subject access request. To make a request for your personal information, please contact the NCLT Data Privacy Manager on 01977 802802 or via email to [Data.Protection@nclt.ac.uk](mailto:Data.Protection@nclt.ac.uk)

You also have the right to:

- object to processing of personal data
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- request your information is transferred to another organisation
- have inaccurate personal data rectified, blocked, erased or destroyed, in certain circumstances

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/>

### **Contact**

If you would like to discuss anything in this privacy notice, please contact the Trust Data Privacy Manager by emailing [Data.Protection@nclt.ac.uk](mailto:Data.Protection@nclt.ac.uk), or by calling 01977 802802.