

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.

Lawful basis for using this information (UK General Data Protection Regulation – 'UK GDPR')

It is our public duty to provide an education to our pupils/students. Processing of personal data is considered necessary for the performance of a task carried out in the public interest or in the exercise of official authority. We have a legal obligation to process pupil/student personal data, for example under SEND, safeguarding and equality & diversity. For some information, you may be providing your specific consent to our processing pupil/student personal data.

Depending on the purpose, our processing of your information will be due to one of the following:

- delivering a public task [Article 6(1)(e)] – the provision of education
- to meet a legal requirement [Article 6(1)(c)], such as the Education Act 1996
- for the performance of a contract [Article 6(1)(b)], for instance for our school food contract caterers
- to protect the vital interests of you or someone else [Article 6(1)(d)], for instance sharing your details with the emergency services
- informed consent given by you or your parent or legal carer [Article 6(1)(a)] (for anything which does not fit into a category above)

Special Category Personal Data

Where we process special category personal data (for example health, SEND or ethnicity information), we also rely on an appropriate condition under Article 9 UK GDPR and Schedule 1 of the Data Protection Act 2018.

Categories of student information

We process your information in order to fulfil our duty to provide you with an education. 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.

Automated Decision Making

We do not use automated decision making which would have legal or a similarly significant effect on an individual.

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?

At times we will share your personal data with other organisations and people. We will only do this when we are legally required to do so, when the law and our policies allow us to do so or when you have given your consent.

Examples of the circumstances when we share personal data with are:

- Department for Education (DfE), including the collection of attendance data and for the National Pupil Database.

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our students with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections. Some of this information is then stored in the National Pupil Database (NPD), which is owned and managed by the Department for Education and provides evidence on school performance to inform research.

For more information, please see 'How HM Government uses your data' section at the end of this Privacy Notice – see **Appendix 1 - How HM Government uses your data**

- 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 for all three colleges and Hepp SY for students attending New College Doncaster for monitoring student progression, See <https://www.hepp.ac.uk/about/data-and-evaluation/>
- 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. NCLT does not transfer personal data to countries outside the UK, European Economic Area or to other territories under circumstances not recognised by the Information Commissioner's Office (ICO). We will not pass your information to third parties for direct marketing purposes.

Your rights to your personal data

You have rights relating to the personal data that we collect and use. The rights you have depend on the legal basis of us using the information. These are summaries below.

Legal Basis	Right under the Law						
	Informed	Access	Rectification	Erasure	Restriction	Portability	Objection
Consent Art.6(1)(a)	✓	✓	✓	✓	✓	✓	Withdraw consent
Contract Art. 6(1)b	✓	✓	✓	✓	✓	✓	✓
Legal Obligation Art.6(1)(c)	✓	✓	✓	X	✓	X	X

Vital Interest Art.6(1)(d)	✓	✓	✓	✓	✓	X	X
Public Interest Art.6(1)(e)	✓	✓	✓	X	✓	X	✓
Recognised Legitimate Interest Art.6(1)(ea)	✓	✓	✓	X	✓	X	X
Legitimate Interest Art.6(1)(f)	✓	✓	✓	✓	✓	X	✓
The availability of a right may depend on the circumstances of the request and any applicable exemptions under UK GDPR and the Data Protection Act 2018. In some cases, we may be able to refuse the request, continue processing, or rely on a statutory exemption.							

Automated Decision Making

We do not use automated decision making which would have legal or a similarly significant effect on an individual.

Requesting access to your personal data

Under data protection legislation individuals have the right to request access to information about them that we hold. To make a request for your personal information, please contact the Trust Data Protection Team by email:- data.protection@nclt.ac.uk.

Contact

Here is our Data Privacy page - <https://nclt.ac.uk/data-protection-and-freedom-of-information/>

If you have an enquiry or complaint about the way we are collecting or using your personal data, you should raise it with us in the first instance. You can also raise issues directly to the Information Commissioner's Office at <https://ico.org.uk/make-a-complaint/data-protection-complaints/>

Data Protection Officer

If you would like to raise a complaint or discuss the handling of your data by NCLT, please contact the Trust Data Protection Team. email:- data.protection@nclt.ac.uk or by calling 01977 802802.