

NCLT STUDENT APPLICANT PRIVACY NOTICE - COLLEGES

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 anyone making an application to any of the 6th Form 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. 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 applicant information?

We use student applicant data to assess an applicant’s suitability for a programme of study, to assess if we are able to provide appropriate support, care and guidance, to ensure we meet all statutory requirements of SEND, safeguarding and equality & diversity. Our legal basis for processing is necessary for the performance of a contract and performance of a public task. There are also a number of cases where information is required for legal purposes or to fulfil our legal duty, or because it protects students and their welfare.

We use our admissions policy as a guide to ensure students meet the entry requirements set for each study programme offered, final decisions are made by staff at the college.

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)], between you and the college
- 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

As part of your application to college we hold information to help us process your application and plan support. Information that we collect, hold and share include:

- Personal information (such as name and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Residential status (usually to confirm whether or not an applicant has lived in the UK for the past 3 years)

- Relevant medical information, special educational needs information
- Safeguarding information relating to the applicant
- Information relating to criminal convictions and cautions
- Assessment information (such as predicted and actual grades)
- Career aims

Criminal Offence Data

Where we process personal data relating to criminal convictions and offences, we do so in accordance with Article 10 UK GDPR and where authorised by UK law, including where an appropriate condition under Schedule 1 of the Data Protection Act 2018 applies.

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. The Learning Records Service will provide us with a unique learner number (ULN) and may provide with us with details about the applicant's learning or qualifications. 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 hold all your application information for 2 years, in accordance with data protection legislation and current best practice. This is to allow withdrawn applicants to reapply at a later stage, should they wish to. If a student enrolls at an NCLT college, this 'Student Applicant Privacy Notice' is superseded by the 'Student Privacy Notice', and the retention of your data will be extended.

Who do we share student information with?

We routinely share student applicant information (including subject choices) with the local authority and the current school of the applicant. Where necessary we may need to share information with health related/safeguarding services. In some cases we may request confidential references from an applicant's previous school or college. Data is shared where software is provided by third party to enable us to process applications. Where this is the case we will ensure we have a contract and/or a data sharing agreement in place to safeguard your data.

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 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.

Automated Decision Making

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

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.							

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.