



POLICY 50 PRIVACY POLICY



Privacy Notice

Stoke on Trent College takes the protection of personal information very seriously. For the purposes of the Data Protection Act 2018, the data controller is Stoke on Trent College. Our ICO registration is: Z7457987. The following statements outline the data we collect and who this may be shared with, and why.

Throughout this document we refer to Data Protection Legislation, which means the Data Protection Act 2018, which is derived from the European General Data Protection Regulation (GDPR) 2016, and includes the Privacy and Electronic Communications (EC Directive) Regulations 2003 and any legislation implemented in connection with the General Data Protection Regulation, which is the governing legislation that regulates data protection across the EEA. This includes any replacement legislation coming into effect from time to time.

The Data We Process – Learners

Learner information (including Prospective Learners)

We collect and process learners’ name, address, date of birth, gender, nationality, parent/guardian contact names, phone number, email address, learner support needs, medical information, education history, qualifications, references, ethnic origin, employment history, attendance data, and other relevant information for the purposes set out below. We collect your religion under GDPR Article 9.2b so that we can ensure that you learners are not discriminated against in any way.

- Learner application to the College

We use learners’ details for the fulfilment of the College’s contractual relationship with its Learners and for our public task to deliver education programmes. This includes determining and applying admissions criteria, processing applications for admission, and monitoring overall Learner numbers.

We will ask learners to disclose if they have a learning difficulty or disability. We do this to identify any students who may need additional support and in some cases review whether a student may pose a risk to the safety or security of other students, teachers or our premises. In some cases, we may reject a student’s application due to a disclosure but this is rare and we have a formal process that would meet to review each case before this decision is made.

We will ask for details of any criminal convictions or offences. If a student declares a criminal record or a DBS check reveals a criminal record that is likely to render the student unable to complete

Issued	Rev 1	Rev 2						
01/07/19	11/07/19	13/05/20						



POLICY 50 PRIVACY POLICY



some mandatory element of the course, a place cannot be offered. This data is kept securely and separate from general learner records and is only available to identified staff from the safeguarding team. If you don't provide information about a criminal conviction or offense and this is later disclosed to us it may result in removal from a specific course or exclusion from the College.

Parents/guardians, Schools, Colleges, Local Authorities, Youth Support and associated services may contact us to request that we confirm the status of a Learner's application and the course they have applied for. We will share this information unless an individual asks us not to by contacting the Admissions Team, email: info@stokecoll.ac.uk

- Learner performance and attendance at the College

We use learners' details to fulfil our learning agreement with them, and for our public task to deliver education programmes. We will use learners' information for setting assessments, marking/grading assessments, reviewing marks/grades awarded in response to notifications of mitigating circumstances, conducting meetings of examination boards, determining awards and classifications.

The Learner Services Team will use the information gathered to identify support needs and any required reasonable adjustments. Where appropriate, support plans will be negotiated with the Learners and shared with identified staff to inform teaching and support strategies. The Learner Services Team will receive Education, Health and Care Plans and other educational and/or medical documentation from parents, schools, health professionals and local authorities and will identify College staff who these will need to be shared with.

To enable the Learner Services Team to fully support Learners they may actively contact parents and other relevant professionals to make a request for information relating to educational support needs under GDPR Article 6.1d (Vital Interests) and Article 6.1e (Public Task). This contact is in order to support education and learning as fully as possible. For those over age 18 at the start of the academic year, the information is optional. These will be shared with the College to help inform support plans. These plans will be shared with identified academic and support staff.

It is College policy that staff may contact named parents/guardians of Learners under the age of 18 during their course to discuss academic progress, attendance, welfare concerns and conduct. Learners who do not wish the College to make such contact may be granted an exemption by writing to the Principal at the commencement of their course.

- Work Experience Placements

Issued	Rev 1	Rev 2						
01/07/19	11/07/19	13/05/20						



POLICY 50 PRIVACY POLICY



We will process a Learner’s name, date of birth, parent’s details, emergency contact details, course details and any health, well-being and educational needs so that we can facilitate a work experience placement. We will use this information to confirm Learner placement details with their parent and the employer. We will also use the details to conduct risk assessments on placements and monitor attendance.

We will share this personal data with the prospective work experience employer and with Changing Education support the delivery of our work experience programme and provide work experience software.

- Learner Health and Social Care Information

We cater for special dietary needs, so that we can respect and facilitate a Learner’s religion, for health and safety reasons including prior to taking Learners on a field trip and as part of pastoral duties. This information will be used to inform support plans which will be shared with the appropriate staff.

We may share this personal data with third parties such as another College where a Learner is taking part in an exchange program. Where appropriate we will ask for explicit consent to process this information; however, we may also rely on other legal bases to process this information including processing the data to protect the Learners or another individual’s vital interests.

- Delivery of services by other providers (Data Processors)

The College uses sub-contractors/partners for the delivery of some of its courses and programs. As such, these third parties have access to Learner personal details including name, address, date of birth, gender, nationality, parent/guardian contact names, phone number, email address, learner support needs, medical information, education history, qualifications, references, ethnic origin, employment history, attendance data, and other relevant information.

Appropriate compliance contracts will be implemented with these sub-contractors as data processors to ensure they process and safeguard personal data in line with the law.

- References

The College may share personal details including name, attendance details, courses completed and results with Higher Education providers and/or employers on receipt of a reference request. By the providing of a referee’s contact details, for the purposes of them providing a reference for the individual, consent is given for the release of information relevant to the request.

Issued	Rev 1	Rev 2						
01/07/19	11/07/19	13/05/20						

- Financial Details

We will collect learners bank details if we need to administer any charges or refunds relating to courses or training programs. We will share the learners' name with the College bank if there is a problem with the payment, and our auditors have access to our payment records.

- CCTV, Images and Audio Recordings

We may capture student/staff/visitors' image on our CCTV systems under GDPR Article 6.1f (Legitimate Interests) to ensure the safety of our students, staff and visitors, and the protection of our buildings and assets (see our CCTV Policy). The College will also collect photographs for the purpose of identifying and protecting our Learners, staff and premises. This data may be shared with the Police and other agencies where the College is required or permitted to do so by law.

The College telephone system can be used to record conversations. This may be done for security purposes, for example if a caller is abusive or threatening. If a conversation is recorded, a message will alert the caller. This information may be shared with the Police and other agencies where the College is required or permitted to do so by law.

A learner's/staff member's photograph or video may also be taken and used as part of promotion of the College events or activities taking place at the College. The individual will be informed if photographs or video is being taken, in order that they can remove themselves from the recording, if they wish to.

Data We Process – Parent/Guardians information

If a learner is under the age of 18 years old at the start of their studies, we require them to provide a (parent/guardian) name, email and phone number. We collect this information to support the communication with potential Learners during the application process and to keep parents/guardians informed about their child's performance and attendance.

Data We Process – Job applicants, current and former employees

The information we request is used to assess an applicant's suitability for employment. The applicant doesn't have to provide what we ask for but it may affect their application if they choose not to.

- Application stage

Issued	Rev 1	Rev 2						
01/07/19	11/07/19	13/05/20						



POLICY 50 PRIVACY POLICY



We ask for personal details including name and contact details. We also ask about previous experience, education, referee details and for answers to questions relevant to the role being applied for. Our HR department and the recruiting manager will have access to all of this information.

Applicants are also asked to provide equal opportunities information. This is not mandatory information. This information will not be made available to any staff outside of our HR department, including hiring managers, in a way which can identify an individual. Any information provided will be used only to produce and monitor equal opportunities statistics, for FE reporting purposes.

- Shortlisting

Managers shortlist applications received. They will not be provided with the applicant's name or personal details or with equal opportunities information.

Candidates are asked to provide proof of identity and qualifications either at the interview, or if successful. Photocopies of original documents are only retained if the candidate is successful in being appointed to the post.

The data of unsuccessful applicants for the position will be held for a period of twelve months in case of any queries regarding the outcome or for feedback purposes.

- Conditional Offer

If we make a conditional offer of employment, we will carry out pre-employment checks. The appointee must successfully complete pre-employment checks to progress to a final offer. We are required to confirm the identity of our staff, their right to work in the United Kingdom and to assess their suitability for the role.

You Appointees will therefore be required to provide:

- Proof of identity – original ID documents, including passport, NI number and residency.
- Proof of qualifications –original certificates required.
- Information to complete a Disclosure and Barring Service application (DBS).
- The details of two referees, whom we can contact, directly to obtain references, which must be satisfactory to the College.
- Information to complete a health questionnaire, which maybe reviewed, if necessary, by our Occupational Health Unit.

Issued	Rev 1	Rev 2						
01/07/19	11/07/19	13/05/20						



POLICY 50
PRIVACY POLICY



Copies of all original documentation will be taken and verified by the HR department.

Upon commencement of employment, we will also ask for the following:

- Bank details – to process salary payments
- Emergency contact details – so we know who to contact in case of emergency
- Employment status for tax code purposes – to be supplied to HMRC via our Payroll provider

Our contract of employment requires all staff to declare if they have any potential conflicts of interest, other employment or engagement. If you complete a declaration, the information will be held on by the HR department and by the Executive Office.

Data We Process – First Steps Nursery

We collect the personal information of the parent, child/children and other parents/’carers’ and emergency contacts. This includes name, address, contact details and any medical issues including medication and allergies.

We process this information for fulfilment of our contract to deliver childcare services. We will ask for parental consent to take photographs of a child/children and for parental consent to share these on our website, on social media and in any communications or promotional materials.

We are required by law to share personal information with the Staffordshire and Stoke on Trent Safeguarding Children Boards (LSCB) in the event of any safeguarding concerns.

Visitors to our websites

We place cookies and text files on the user’s computer to collect data on browsing behaviour on our websites under GDPR Article 6.1f (Legitimate Interests) so that we can tailor our website content to users you and connect with our online audience.

Use of Data Processors

Data processors are third parties who provide services to/for us. This means that they cannot process personal information held by us, unless we have instructed them to do so. They will hold it securely and retain it for the period we instruct.

Issued	Rev 1	Rev 2						
01/07/19	11/07/19	13/05/20						

The College will only share data with third parties where there is a legal obligation to do so, including ESFA, OfS, Learner Records Service (LRS), examination bodies, Student Loans Company (SLC) and local authorities.

From time to time, we engage non-statutory third parties to process personal data on our behalf, for example to follow up course applications during busy periods or undertake research. Where this happens, we require these parties to do so on the basis of written instructions, under a duty of confidentiality and an obligation to implement appropriate technical and organisational measures to ensure the security of data, and never to use it for their own direct marketing purposes.

International Transfers of Data

Where Learners or staff take part in any international programmes e.g. residential or exchanges their data will be sent overseas (this can include outside of the European Economic Area). Information including: name, address, date of birth or age, emergency contacts, and other relevant information may be shared with any travel organisation e.g. travel agents, hotels or airlines. The information will also be passed to the host school/College/education provider and a host family (where relevant). Staff and Learners will be asked to give their explicit consent to the sharing of data.

If we do this, an individual's personal information will continue to be subject to one or more appropriate safeguards set out in the law. These might be the use of model contracts in a form approved by regulators, or having our suppliers sign up to an independent privacy scheme approved by regulators such as the USA Privacy Shield scheme.

Retention of Records

We retain the personal data processed by us for the purpose for which it was collected (including as required by applicable law or regulation).

As a general guide:

- Learner (including parent/carer) details: will be retained for 6 years after completion of studies or withdrawal from a course. In some cases for example to comply with UK or European funding rules we are required to keep records for much longer.
- Nursery children and parents all data will generally be retained for 25 years.
- Employee data: all data will be retained for 6 years with limited data retained until the employee's 75th birthday (as required for pension administration).

Issued	Rev 1	Rev 2						
01/07/19	11/07/19	13/05/20						



POLICY 50
PRIVACY POLICY



The College has a Retention Schedule that specifically sets out detailed retention timescales. For more information on how long information will be retained please contact our Data Protection Officer or refer to the Data Retention Policy.

Rights of the Data Subject

Data Protection law provides the following rights for individuals:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling
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An individual (data subject) may ask us at any time for information about any personal data we hold about them, or may request that we amend, update or delete information. We may need to retain limited information about an individual, and so data subjects should bear this in mind if requesting to be 'forgotten'.

Please Note: We will need to verify an individual's identity before we can fulfil any requests under Data Protection law. This helps us to protect personal information against fraudulent requests.

Where we are relying on consent as a condition for processing personal data consent may be revoked for the processing of data by contacting us.

We may disclose personal information in circumstances where we have reason to believe that disclosing this information is necessary to comply with the law, or if we have another legal basis to do so.

How Government uses individual's data

The student data that we lawfully share with the DfE through data collections:

- underpins FE funding, which is calculated based upon the numbers of students and their profile.

Issued	Rev 1	Rev 2						
01/07/19	11/07/19	13/05/20						

- informs 'short term' education policy monitoring and college accountability and intervention (for example, school GCSE results or Student Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school).

The law allows the Department to share students personal data with certain third parties, including:

- local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime.

How to find out what personal information the DfE hold about you

Under the terms of the Data Protection Act 2018, an individual is entitled to ask the Department:

- if they are processing their personal data
- for a description of the data held about them
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of their personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'Subject Access Request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact DfE: <https://www.gov.uk/contact-dfe>

How do we protect your personal information?

The College takes the security of personal information very seriously. We have policies and controls in place to safeguard against data being lost, accidentally destroyed, misused or

Issued	Rev 1	Rev 2						
01/07/19	11/07/19	13/05/20						



POLICY 50
PRIVACY POLICY



disclosed, and not accessed except by its employees in the proper performance of their duties. Our Data Protection Policy is available to view on our website.

Complaints or queries

Stoke on Trent College aim to meet the highest standards and is compliant with legislation, when collecting and using personal information. If you want to make a complaint about the way we have processed your personal information, please contact our Data Protection Officer: dpo@stokecoll.ac.uk


In the event you are not satisfied with the processing of your personal data you have the right to contact the data protection regulator, at the Information Commissioner’s Office (ICO) <https://ico.org.uk/>

Changes to this Statement


Any changes we may make to our Privacy Policy in the future will be posted on this page

Approval

Approved by the College Executive Team

Signed: 
(Principal)

Endorsed by the College Corporation

Signed: 
(Chair)

Issued	Rev 1	Rev 2						
01/07/19	11/07/19	13/05/20						