



PRIVACY STATEMENT

The College is dedicated to protecting the confidentiality and privacy of personal information entrusted to us. We comply with the UK General Data Protection Regulation 2016/679 and the UK Data Protection Act 2018.

Why do we collect personal information?

The organisation collects and processes personal data relating to its students to effectively manage their learning and to meet its statutory obligations as a General Further Education (GFE) College. The College is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

The College also collects information about all applicants for admissions, marketing and health and safety reasons.

What personal information does the organisation collect?

We collect the following personal data under GDPR Article 6c (Legal Obligation), and 6e (Public Task) in order to meet our legal obligations with the Education and Skills Funding Agency (ESFA) and Office for Students (OfS). They are also necessary in order for us to carry out our public task to provide education and training. We are required by ESF to retain this data until at least 2034.

Personal data can include

- details about yourself including your name, date of birth and gender;
- contact details – including address, telephone number and email address;
- details of your previous qualifications, employment and educational history;
- information about your residency, and previous address (if applicable);
- sensitive data;
- information about medical or health conditions, including whether or not you have a learning disability or difficulty;
- details about your ethnicity, nationality;
- household information (this information is collected for ESFA use only and is not used by the College)

We collect data about criminal convictions in order to protect vital interests of others (GDPR Article 6d (Vital Interest) and also in order to carry out our duty to support those with a conviction GDPR Article 6e (Public Task).

We collect emergency contacts GDPR Article 6d (Vital Interests). For those over age 18 at the start of the academic year, the information is optional.

We collect parent/carer details for those under 18 at the start of the academic year under GDPR Article 6e (Public Task) in order to support our duty to support the education and learning as fully as possible.

How is this information collected?

Most of the information above is collected directly from yourself via an application or enrolment form. However some information such as previous qualifications, or special needs, may be collected from other organisations such as the DfE, the Local Education Authority, Social Services or your previous school.

Where do we store data?

Data will be stored in a range of different places, including the student information management systems, on paper in stored secure places, or on electronic documents within a secure network.

Why does the organisation need to process personal data?

The College needs to process data so we can provide you with the highest standards of education and training we are able to give, and to meet its legal obligations from government organisations including the Department for Education (DfE) and Office for Students (OfS). Data regarding employment status and benefits is required to assess your eligibility for fee remission or support.

Where the organisation processes other special categories of personal data, such as information about ethnic origin, disability or health, this is done for the purposes of equal opportunities monitoring and monitor our service provision to improve our services to specific groups. We also use the data so we can personalise the provision to each student to provide them with the best possible opportunities to succeed. Any information that has been supplied under the lawful basis of consent, consent can be withdrawn at any time, by contacting the data protection officer.

Contact details will not be used by the College for marketing or survey purposes without your consent, which can be withdrawn at any time. However, will use the contact information to contact you in order to carry out our duties to you, for example to notify you of a change of course date, and also to obtain data where legally required.

Who has access to data?

Your information may be shared internally, including with any College staff who need the data to provide services to the student. This will include special categories of data where appropriate.

Where the College engages non-statutory third parties to process personal data on its behalf, we require them to do so on the basis of written instructions, under a duty of confidentiality and they are obliged to implement appropriate technical and organisational measures to ensure the security of data.

The organisation also shares your data with third parties where there is a legal obligation, including ESFA, OfS, the Learner Records Service (LRS), Liverpool Combined Regional Authority (LCRA) and Halton Borough Council (HBC) for students aged 16-18 and some 19-24 year olds with Education Health and Care Plans.

Data may be shared with other educational and welfare organisations (e.g. schools and local authorities) and other partner organisations for the legitimate purposes of providing the best possible learning experience for the individual.

For school leavers, the College also shares your data with your previous school, to inform them of your progress after you have left school.

ESFA Data Sharing Agreement:

We are contractually obliged to pass your data to the ESFA. For this data they are the 'Data Controller'. Below is their privacy statement:

This privacy notice is issued by the Education and Skills Funding Agency (ESFA) on behalf of the Secretary of State for the Department of Education (DfE) to inform learners about the Individualised Learner Record (ILR) and how their personal information is used in the ILR. Your personal information is used by the DfE to exercise our functions under article 6(1)(e) of the UK GDPR and to meet our statutory responsibilities, including under the Apprenticeships, Skills, Children and Learning Act 2009. Our lawful basis for using your special category personal data is covered under Substantial Public Interest based in

law (Article 9(2)(g)) of GDPR legislation. This processing is under Section 54 of the Further and Higher Education Act (1992).

The ILR collects data about learners and learning undertaken. Publicly funded colleges, training organisations, local authorities, and employers (FE providers) must collect and return the data to the ESFA each year under the terms of a funding agreement, contract or grant agreement. It helps ensure that public money distributed through the ESFA is being spent in line with government targets. It is also used for education, training, employment, and well-being purposes, including research.

We retain your ILR learner data for 20 years for operational purposes (e.g. to fund your learning and to publish official statistics). Your personal data is then retained in our research databases until you are aged 80 years so that it can be used for long-term research purposes. For more information about the ILR and the data collected, please see the ILR specification at <https://www.gov.uk/government/collections/individualised-learner-record-ilr>

ILR data is shared with third parties where it complies with DfE data sharing procedures and where the law allows it. The DfE and the English European Social Fund (ESF) Managing Authority (or agents acting on their behalf) may contact learners to carry out research and evaluation to inform the effectiveness of training.

For more information about how your personal data is used and your individual rights, please see the DfE Personal Information Charter (<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>) and the DfE Privacy Notice (<https://www.gov.uk/government/publications/privacy-notice-for-key-stage-5-and-adult-education>)

Office for Students Data Sharing Agreement:

If you are enrolled on a prescribed Higher Education course we are legally obliged to pass your data to the OfS which is the statutory body for the delivery of Higher education in England.

The OfS privacy statement can be found at <https://www.officeforstudents.org.uk/privacy/>

Learning Records Service Data Sharing Agreement:

The information you supply to the Learning Records Service will be used by the Education and Skills Funding Agency, an executive agency of the Department for Education (DfE), to issue you with a Unique Learner Number (ULN), and to create your Personal Learning Record.

For more information about how your information is processed and shared refer to the Extended Privacy Notice available on GOV.UK <https://www.gov.uk/government/publications/esfa-privacy-notice>

Where the College engages non-statutory third parties to process personal data on its behalf, we require them to do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

Do we process data outside the EEA?

The College will not transfer your data to countries outside the European Economic Area.

How does the organisation protect data?

The organisation takes the security of your data seriously. The organisation has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties. The Data Protection policy is available to view on our website, or can be obtained in a paper version by contacting our reception.

For how long does the organisation keep data?

All data collected and processed on behalf of the ESFA or OfS will be held for as long as we are legally required to do so. Other data will be held as long as is necessary to fulfil our duty as a College. Any data provided by consent may be deleted on request. The retention period for data and documents can be found in the College's Data and Document Retention Policy which is available electronically on request from the Data Protection Officer or in a paper version by contacting our reception.

What rights do you have?

As a data subject, you have a number of rights. You can

- access and obtain a copy of your data on request;
- require the organisation to change incorrect or incomplete data;
- require the organisation to delete or stop processing your data, for example where the data is no longer necessary for the stated purposes of processing;
- object to the processing of your data where the organisation is relying on its legitimate interests as the legal ground for processing. The College will only use "legitimate interests" as grounds for processing in a very few situations.
- withdraw consent for us to use your data for direct marketing

If you would like to exercise any of these rights, please contact the data protection officer at dataprotection@riversideCollege.ac.uk or contact the College reception.

Who can I complain to?

If you believe that the College has not complied with your data protection rights, please contact the College Data Protection Officer. If we cannot resolve your complaint you can complain to the Information Commissioner.

What if I do not want to provide personal data?

Failure to provide data required to meet legal obligations will result in us not being able to enrol you as a student. Failure to provide other information (except that requiring consent), for example learning difficulty information, may result in the College being unable to provide the standard of service we would wish to provide.

Does the College use automated decision-making?

No decisions are based solely on automated decision-making.

Do we change our Privacy Policy?

We will regularly review this policy and will post any updates on this webpage.

Data Controller and Data Protection Officer

The Data Controller and the Data Protection Officer may be contacted at Reception, Riverside College, Kingsway, WIDNES, WA8 7QQ or Reception, Cronton Sixth Form College or by email at dataprotection@riversideCollege.ac.uk.

The College websites are: www.riversideCollege.ac.uk and www.cronton.ac.uk

