

GDPR Privacy Notice (How we use student, parent and young person's information)

Winstanley College is the data controller of the personal information that you provide us with as students and parents or guardians. This means that the college determines the purposes for which and the manner in which any personal data related to our students and their parents or guardians is to be processed. Conor Edwards – Director of Finance and Resources acts as Data Protection Officer for the college with regard to its data controller responsibilities, they can be contacted on 01695 633244.

In some cases your data will be shared to a third party processor, however this will only be done with your consent, unless the law requires the college to share your data. Where the college outsources data to a third party processor, the same data protection standards that Winstanley College upholds are imposed upon the processor.

Conor Edwards is the data protection officer, their role is to oversee and monitor the college data protection procedures and to ensure that they are compliant with GDPR. Their contact details are given above.

The categories of this information that we collect, process, hold and share include:

- personal information (such as student name, unique candidate number (UCI) and address, email and telephone details)
- emergency contact information such as phone numbers and email details and next of kin
- characteristics (such as ethnicity, language and free college meal eligibility)
- assessment information related to prior exam performance
- relevant medical information
- special educational needs information
- academic performance and pastoral support data created during your time at college including tutorial notes and marks in college and national examination assessments
- attendance data at college and while on work placement
- careers information and future plans for progression
- wider interests to help us prepare references and provide enrichment activities

- student photographs for ID badges, payment systems, and for marketing and publicity materials

Why we collect and use this information

We use student, parent and young person's data to:

- To support our students learning
- To monitor and report on student progress
- To provide appropriate pastoral care
- To assess the quality of our service
- To comply with the law regarding data sharing
- To safeguard students and staff and keep the college secure
- To ensure that students health and welfare is supported while they are in college and on trips and visits or enrichment activities.
- To demonstrate evidence of students eligibility for funding to the Education and Skills Funding Agency (ESFA) as part of our contract to deliver education
- To derive statistics which inform decisions such as the funding of the college
- To assess performance and to set targets for the college
- To prepare our students for progression after their time at college
- To provide efficient means of payment for college services, trips and visits

The lawful basis on which we use this information

We hold the legal right to collect and use this personal information relating to students and young people and their parents and guardians and we may also receive information shared from their previous school, LA and or the DfE/ ESFA. We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK Law including

Article 6, and Article 9 of the GDPR

The Education Act 1996

The Further and Higher Education Act 1992

The Apprenticeships, Skills Children and Learning Act 2009

The terms and conditions of funding imposed upon the college by the ESFA

Further information about why the ESFA requires the college to collect personal data can be found at <https://www.gov.uk/government/publications/esfa-privacy-notice> (Oct 2017 version is currently showing – but will change for 2018-19 to tie into GDPR)

Collecting this information

Whilst the majority of student, parental and young person's information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

As an example during enrolment we will ask for consent to be given to share photographs for marketing and publicity materials however we will also insist upon a photograph being taken for an ID Card to help with security and safeguarding. So you may opt out of giving photos for marketing but we will not give you a choice about your photo for your ID Card.

Storing this information

We hold student parental contact and young person's data as follows: -

For students who apply but do not enrol with the college your records will be deleted after the enrolment period has finished. We or your local authority may contact you to ensure that you have made alternative plans for alternative education or education with training as this is a statutory duty.

For students who attend college after enrolment – we are contractually required to keep your records for **six years after your time at college has come to an end to meet funding and audit requirements of the DfE via the ESFA and the EU.**

Thereafter we will keep a reduced record for future references and to create a historical archive of student details for research purposes.

As good practice the college reviews the retention period of our data in line with the JISC retention schedules for Further Education – further information can be found at <http://bcs.jiscinfonet.ac.uk/fe/default.asp>

Who we share this information with

We routinely share students and young person's information with:

- The Education and Skills Funding Agency (ESFA) as part of our contractual funding agreement as an education provider
- the Department for Education (DfE) - on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013. For example so that data on student performance can be published

- Youth support services and Careers services – under section 507-8 of the Education Act 1996, to enable them to provide information regarding training and careers as part of the education or training of 13-19 year olds
- The Local Authority(ies) where students live so that they can ensure education with training is provided to all students age 16-19. (Education Act 1996 Sections 13 + 15)
- Progression information may be shared back to the students Local Authority and High School. (Education Act 1996 Sections 13 + 15)
- Social Services / NHS and other support agencies where a student or young person has safeguarding, care or welfare needs (Working Together to safeguard children 2015)
- Relevant personal data (name, date of birth, gender) will be transferred to the awarding bodies for the purpose of examining and awarding qualifications, and may be sent together with the examination results and outcomes of any reviews of marking, reviews of moderation and appeals.
- Limited student and parent information is shared with a company providing the college student payment platform so that you can create your own user account – currently Parentpay – This helps the college to process transactions efficiently as required under the Education Act 1996 Ch2 11 (2). The college ensures that Parentpay complies with GDPR as a third party processor.
- Limited student information is also shared with a company providing benchmark data related to student value added to enable the college to improve its teaching and pastoral support. The companies concerned are ALPS/ Alchemy Gold and Nick Allen. This helps the college to provide well focussed education required under the Education Act 1996 Ch2 11 (2). The college ensures that ALPS and Nick Allen comply with GDPR as third party processors.

Education and training

Winstanley College provides education to our students and is required to share data about our students to the ESFA and DfE as part of our contract for education.

The Local Authority holds information about young people living in their area, including about their education and training history. This is to support the provision of their education up to the age of 20 (and beyond this age for those with a special educational need or disability). Under parts 1 and 2 of the Education and Skills Act 2008, Winstanley College and other public bodies (including the Department for Education (DfE), police, probation and health services) may pass information to the local authority to support these provisions.

Winstanley College may receive information related to our students when the above information is being shared as part of a multi-agency support process.

Pupils aged 16+

Winstanley College must also share relevant information about students aged 16+ who drop out of college and therefore become not in education, training or employment (such as their contact details) with the Local Authority as provider of youth support services and careers advice as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

This enables the Local Authority to provide the following services:

- post-16 education and training
- youth support services
- careers advice

For more information about services for young people, please visit your local authority website.

Why we share this information

We share children and young person's data with the Department for Education (DfE) on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013. This data sharing underpins college funding, educational attainment policy and monitoring and enables the DfE to; produce statistics, assess our performance, determine the destinations of young people after they have left school or college and to evaluate Government funded programmes.

We do not share information about Winstanley College students and young people without consent unless the law and our policies allow us to do so.

Data collection requirements

To find out more about the data collection requirements placed on Winstanley College by the Department for Education via the Education and Skills Funding Agency (ESFA) (for example; via the college ILR returns and the requirements for funding and student eligibility information) go to:-

<https://www.gov.uk/government/publications/esfa-supplementary-data-collection>

<https://www.gov.uk/guidance/16-to-19-education-funding-guidance>

<https://www.gov.uk/government/publications/advice-funding-regulations-for-post-16-provision>

The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

The law requires us to provide information about our students to the DfE as part of statutory data collections. Some of this information is then stored in the national pupil database (NPD) to show how pupils progress as 16-18 students at key stage 5. The legislation that requires this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The Department may share information about our students from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

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

Requesting access to your personal data

Under data protection legislation, students have the right to request access to information about them that we hold. To make a request for your personal information, whilst studying at college then please talk to your personal tutor via student services.

or be given access to your student educational records held by Winstanley College after you have left college, please contact **Conor Edwards - Data Protection Officer you will be required to prove your identity and request the records electronically as a pdf.**

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

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/>

Further information

If you would like further information about this privacy notice, please contact:

Winstanley College / Conor Edwards – Director of Finance & Resources/ data protection officer