

Chelmsford College Group

Personal Data Privacy Notice – Learners & Alumni

Manager Responsible: Director of Information Services

Version Number: 2.4

Approval Date:	20 Aug 2019
Approved by:	Data Protection Working Group
Minute number:	
Ratified by:	Senior Management Team
Minute number:	
Review Date :	31 Aug 2022
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Intended Audience: <i>(Check appropriate box)</i>			
Staff:	<input checked="" type="checkbox"/>	Governors:	<input checked="" type="checkbox"/>
Students:	<input checked="" type="checkbox"/>	External:	<input checked="" type="checkbox"/>



AMENDMENT SUMMARY

<u>Version</u>	<u>Date</u>	<u>Remarks</u>
1.0	16 May 2018	Initial Publication
1.1	21 May 2018	Minor textual revisions.
1.2	05 Jun 2018	Addition of use for audience profile generation.
1.3	10 Sep 2018	Periodic Review
2.0	15 Aug 2019	Update to Consent handling
2.1	29 Sep 2020	Periodic Review
2.3	08 Jan 2021	Definition of UK GDPR following EU Withdrawal
2.4	12 Aug 2021	Periodic Review

Age, Disability, Gender & Race Equality Statement

Age, Disability, Gender and Race Equality Impact Measures will be set and monitored through analysis of all data related to potential suspected or actual abuse of this policy.

A copy of the Equality Impact Assessment Initial Screening Form is attached as an Annex to this document

NOTICE ABOUT HOW WE USE YOUR PERSONAL INFORMATION

We are the data controller of personal information about you. We are Chelmsford College Group. Our address is:

102 Moulsham Street
Chelmsford
Essex
CM2 0JQ

Our Data Protection Officer is Mark Emerson, Director of Information Services. If you have any questions about this policy or the ways in which we use your personal information, please contact our Data Protection Officer at:

DataProtection@chelmsford.ac.uk.

This privacy notice has been prepared in accordance with the UK General Data Protection Regulation¹ (UK GDPR) and the Data Protection Act 2018.

STRUCTURE OF THIS DOCUMENT

The document is divided into sections to help you navigate to the specific information you are looking for. Please select the department or subject about which you would like more information:

- [Admissions](#);
- [Administration](#);
- [Finance & Funding](#);
- [Teaching](#);
- [Alumni](#);
- [Marketing](#);
- [System Monitoring](#); and
- [Your Rights Over Your Personal Information](#)

ADMISSIONS

What Would You Like to Know About?

- [the personal information that you give us](#);
- [the uses made of your personal information](#);
- [the legal basis on which we collect and use your personal information](#);
- [how long we keep your personal information](#);
- [how we share your personal information](#); and

¹ The "UK GDPR" means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27th April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation) as it forms part of the law of England and Wales, Scotland and Northern Ireland by virtue of section 3 of the European Union (Withdrawal) Act 2018.

- [how we transfer your personal information outside Europe](#)

THE PERSONAL INFORMATION YOU GIVE US

As part of your admission to the College we may collect your personal details including: name, address, date of birth, email address, first and second language, work assessment data, dates of attendance, exam and/or test results, religion, ethnicity, health information, doctor's details, behaviour record, sex-related information, genetic data, and special needs details.

THE USES MADE OF YOUR INFORMATION

We will use your information to manage and administer your education. This will include putting together class lists, for sending event invitations, for communicating with you, for dealing with admissions, for putting together reports and registers, to check exam results, to allocate you to the correct classes for assessments, to make arrangements for exams or visits, to consider whether to offer places to students, to consider whether special provision or assistance is required for exams and visits and to be able to tell other colleges your attendance dates if you leave.

THE LEGAL BASIS ON WHICH WE COLLECT AND USE YOUR PERSONAL INFORMATION

Generally, the information is processed as part of our public interest task of providing education to you.

Where that information is special category personal information (e.g. medical information) we will process it because there is a substantial public interest for us to do so.

HOW LONG WE KEEP YOUR PERSONAL INFORMATION

Your personal information will be retained for as long as your application to join a programme of study is being processed. Should the process be terminated your data will only be held until it is clear that you do not intend to undertake education within the Chelmsford College Group.

HOW WE SHARE YOUR PERSONAL INFORMATION

We may share the personal information that you give us with the following organisations (or types of organisation) for the following purposes or third parties who provide services to the college:

Organisation	Purpose
BKSB Ltd	Initial Literacy and Numeracy assessment

Organisation	Purpose
UKCRBs	DBS checks for learners who may engage in regulated activity
PageOne Communications – JaNet.txt	Provision of SMS messaging to applicants

HOW WE TRANSFER YOUR PERSONAL INFORMATION OUTSIDE EUROPE

In general, we do not store or transfer your personal data outside of Europe.

ADMINISTRATION

What Would You Like to Know About?

- [the personal information that you give us](#);
- [the uses made of your personal information](#);
- [the legal basis on which we collect and use your personal information](#);
- [how long we keep your personal information](#);
- [how we share your personal information](#); and
- [how we transfer your personal information outside Europe](#)

THE PERSONAL INFORMATION THAT YOU GIVE US

As part of our administration of the College we may collect your personal and educational details including: your name, address, email address, date of birth, exam results and qualification achieved, attendance, sports team membership, photo, first and second language, work assessment data, dates of attendance, religion, ethnic origin, health records/conditions (including mental health), doctor’s details, behaviour record, special needs details and sex-related data.

THE USES MADE OF YOUR PERSONAL INFORMATION

We will use your information to manage and administer your education. This will include information for making registers, class lists, trip lists, communications, reports, employer information (for example for apprentices and day release students) and to identify pupils who cannot be used for marketing photos.

As part of our funding agreement with the Education and Skills Funding Agency, we are required to make regular returns of learner data to them. You were provided with a copy of their Privacy Notice during enrolment.

As part of business processes, we may also use aggregated groups of contact details, such as email addresses, for the purposes of generating audience profiles. It is not possible to identify a single individual’s details from this aggregated data.

During the Enrolment process you will have been given additional details about how we use some of the information you give us to manage and administer your programme of study. The 'script' used as part of this process can be found at [Annex A](#).

THE LEGAL BASIS ON WHICH WE COLLECT AND USE YOUR PERSONAL INFORMATION

Generally, the information is processed as part of our public interest task of providing education to you.

Where that information is special category personal information (e.g. medical information) we will process it because there is a substantial public interest for us to do so.

HOW LONG WE KEEP YOUR PERSONAL INFORMATION

Your personal information will be retained for as long as your application to join a programme of study is being processed or you are enrolled as a learner. Should the application process be terminated or should you be withdrawn from your studies personal data will only be held until it is clear that you do not intend to undertake or continue with education within the Chelmsford College Group.

HOW WE SHARE YOUR PERSONAL INFORMATION

Organisation	Purpose
UK and European Education Funding Agencies	Contractual funding requirement
Examining Boards and Awarding Bodies	Administration of qualifications
BKSB Ltd	Initial Literacy and Numeracy assessment
UKCRBs	DBS checks for learners who may engage in regulated activity
PageOne Communications – JaNet.txt	Provision of SMS messaging to applicants
eduFocus Ltd	Operation of the Visit and Activity Planning and Approvals System
Essex County Council	Contractual requirement for students in receipt of high needs funding. Legal requirement under the Education & Skills Act 2008
Microsoft	Cloud hosted Microsoft 365 services
SmartAprentices	E-Portfolio for work based learners

HOW WE TRANSFER YOUR PERSONAL INFORMATION OUTSIDE EUROPE

In general, we do not store or transfer your personal data outside of Europe.

FINANCE & FUNDING

What Would You Like to Know About?

- [the personal information that you give us](#);
- [the uses made of your personal information](#);
- [the legal basis on which we collect and use your personal information](#);
- [how long we keep your personal information](#);
- [how we share your personal information](#); and
- [how we transfer your personal information outside Europe](#)

THE PERSONAL INFORMATION THAT YOU GIVE US

In order to manage the financial affairs of the College we may collect and hold the following information about you: funding information, bank details, household financial information, Benefit or Tax Credit information, and pre-pay card information (for Refectory use)

THE USES MADE OF YOUR PERSONAL INFORMATION

We will use your information to ensure your place is appropriately funded, and/or to pay/receive payment from you

THE LEGAL BASIS ON WHICH WE COLLECT AND USE YOUR PERSONAL INFORMATION

Generally, the information is processed as part of our public interest task of providing education to you.

Where that information is special category personal information (e.g. medical information) we will process it because there is a substantial public interest for us to do so.

HOW LONG WE KEEP YOUR PERSONAL INFORMATION

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

HOW WE SHARE YOUR PERSONAL INFORMATION

Organisation	Purpose
UK and European Education Funding Agencies	Contractual funding requirement

Organisation	Purpose
Examining Boards and Awarding Bodies	Administration of qualifications
Essex County Council	Contractual requirement for students in receipt of high needs funding. Legal requirement under the Education & Skills Act 2008
Essex Shared Services Ltd	Student invoice / fee information

HOW WE TRANSFER YOUR PERSONAL INFORMATION OUTSIDE EUROPE

In general, we do not store or transfer your personal data outside of Europe.

TEACHING

What Would You Like to Know About?

- [the personal information that you give us](#);
- [the uses made of your personal information](#);
- [the legal basis on which we collect and use your personal information](#);
- [how long we keep your personal information](#);
- [how we share your personal information](#); and
- [how we transfer your personal information outside Europe](#)

THE PERSONAL INFORMATION THAT YOU GIVE US

As part of the delivery of our courses to you, our staff will collect the work that you create as well as any assessment material you complete. They may also create digital images or other resources required as part of the assessment process.

In addition, when you use the IT systems we provide you with access to, we will process the data you input.

THE USES MADE OF YOUR PERSONAL INFORMATION

We will use your information for the purposes of teaching you, monitoring your learning and measuring your progress and achievements.

Images will only be processed and used in accordance with the College's *Use of Digital Images Policy*.

During the Enrolment process, you will have been given additional details about the use of personal data as part of the assessment process. The 'script' used as part of this process can be found at [Annex A](#).

THE LEGAL BASIS ON WHICH WE COLLECT AND USE YOUR PERSONAL INFORMATION

Generally, the information is processed as part of our public interest task of providing education to you.

HOW LONG WE KEEP YOUR PERSONAL INFORMATION

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

HOW WE SHARE YOUR PERSONAL INFORMATION

Organisation	Purpose
UK and European Education Funding Agencies	Contractual funding requirement
Examining Boards and Awarding Bodies	Administration of qualifications
Web enhanced learning environments (e.g. Edmodo and Microsoft 365)	Delivery of curriculum
SmartAprentices	E-Portfolio for work based learners
BKSB Ltd	Initial Literacy and Numeracy assessment

HOW WE TRANSFER YOUR PERSONAL INFORMATION OUTSIDE EUROPE

In general, we do not store or transfer your personal data outside of Europe.

Alumni

What Would You Like to Know About?

- [the personal information that you give us](#);
- [the uses made of your personal information](#);
- [the legal basis on which we collect and use your personal information](#);
- [how long we keep your personal information](#);
- [how we share your personal information](#); and
- [how we transfer your personal information outside Europe](#)

THE PERSONAL INFORMATION THAT YOU GIVE US

To maintain our Alumni network we would like to collect and hold the following information about you: your name, address, email address, date of birth, years

during which you attended the college, previous school information and any social media channel credentials that you may provide.

THE USES MADE OF YOUR PERSONAL INFORMATION

We will use your information to manage and administer our Alumni network. This will include the use of email communications and contact via social media channels.

THE LEGAL BASIS ON WHICH WE COLLECT AND USE YOUR PERSONAL INFORMATION

Generally, the information is processed on the basis of your consent. This can be changed or withdrawn at any time by updating your contact preferences using the links contained within our communications with you.

HOW LONG WE KEEP YOUR PERSONAL INFORMATION

Your personal information will only be retained as long as you continue to consent to be contacted by the Chelmsford College Group.

HOW WE SHARE YOUR PERSONAL INFORMATION

We will not share your information directly with any third party organisations. However, our social media channels employ a number of contact 'bots' to personalise our communications with you. Examples of the companies that provide this service to us are: Mailchimp, Facebook, Sendpulse, Opt-in and Autoresponders, Dropbox, Twitter and LinkedIn

HOW WE TRANSFER YOUR PERSONAL INFORMATION OUTSIDE EUROPE

In general, we do not store or transfer your personal data outside of Europe. However, we may transfer your data outside the European Economic Area (EEA) in the process of using different marketing and email systems

Countries outside of the European Economic Area (EEA) do not always offer the same levels of protection to your personal data, so European law has prohibited transfers of personal data outside of the EEA unless the transfer meets certain criteria.

Many of our third parties service providers are based outside the European Economic Area (EEA) so their processing of your personal data will involve a transfer of data outside the EEA.

Whenever we transfer your personal data out of the EEA, we do our best to ensure a similar degree of security of data by ensuring at least one of the following safeguards is in place:

- We will only transfer your personal data to countries that the European Commission have approved as providing an adequate level of protection for personal data by; or
- Where we use certain service providers, we may use specific contracts or codes of conduct or certification mechanisms approved by the European Commission which give personal data the same protection it has in Europe; or
- If we use US-based providers that are part of EU-US Privacy Shield, we may transfer data to them, as they have equivalent safeguards in place.

If none of the above safeguards is available, we may request your explicit consent to the specific transfer. You will have the right to withdraw this consent at any time

Marketing

What Would You Like to Know About?

- [the personal information that you give us](#);
- [the uses made of your personal information](#);
- [the legal basis on which we collect and use your personal information](#);
- [how long we keep your personal information](#);
- [how we share your personal information](#); and
- [how we transfer your personal information outside Europe](#)

THE PERSONAL INFORMATION THAT YOU GIVE US

For marketing purposes, we collect: names, addresses, dates of birth, email addresses, former school information and year group.

THE USES MADE OF YOUR PERSONAL INFORMATION

We will use your information to enable you to partake in our promotions such as competitions, prize draws and free give-aways, to deliver relevant website content and advertisements to you and measure or understand the effectiveness of this advertising.

THE LEGAL BASIS ON WHICH WE COLLECT AND USE YOUR PERSONAL INFORMATION

Where you have previously studied at the College or commenced an application process with us before, then we will send you information about the courses we provide on the basis of our legitimate business interests. In doing so, we will comply with the requirements of the "soft opt in" and offer you an opportunity to

refuse marketing when your details are first collected and in subsequent messages (by way of own unsubscribe).

Any other marketing, we carry out will be on the basis of consent.

HOW LONG WE KEEP YOUR PERSONAL INFORMATION

Your personal information will only be retained as long as you continue to consent to be contacted by the Chelmsford College Group.

HOW WE SHARE YOUR PERSONAL INFORMATION

We may share your personal data with the parties set out below:

- Other companies in our group who provide services to us.
- Service providers who provide IT and system administration services.
- Professional advisers including lawyers, bankers, auditors and insurers
- Government bodies that require us to report processing activities.
- Third parties to whom we sell, transfer, or merge parts of our business or our assets.

We require all third parties to whom we transfer your data to respect the security of your personal data and to treat it in accordance with the law. We only allow such third parties to process your personal data for specified purposes and in accordance with our instructions.

HOW WE TRANSFER YOUR PERSONAL INFORMATION OUTSIDE EUROPE

We may transfer your data outside the European Economic Area (EEA) in the process of using different marketing and email systems. Examples of international transfers include our use of Mailchimp, Facebook, Sendpulse, Opt-in and Autoresponders, Dropbox, Twitter and LinkedIn.

Countries outside of the European Economic Area (EEA) do not always offer the same levels of protection to your personal data, so European law has prohibited transfers of personal data outside of the EEA unless the transfer meets certain criteria.

Many of our third parties service providers are based outside the European Economic Area (EEA) so their processing of your personal data will involve a transfer of data outside the EEA.

Whenever we transfer your personal data out of the EEA, we do our best to ensure a similar degree of security of data by ensuring at least one of the following safeguards is in place:

- We will only transfer your personal data to countries that the European Commission have approved as providing an adequate level of protection for personal data by; or
- Where we use certain service providers, we may use specific contracts or codes of conduct or certification mechanisms approved by the European Commission which give personal data the same protection it has in Europe; or
- If we use US-based providers that are part of EU-US Privacy Shield, we may transfer data to them, as they have equivalent safeguards in place.

If none of the above safeguards is available, we may request your explicit consent to the specific transfer. You will have the right to withdraw this consent at any time

WILL WE MONITOR YOUR USE OF THE COLLEGE IT SYSTEMS

We keep an eye on how you use the College's equipment and computers and what websites you go on when you are browsing the internet at College. This is because we have legal obligations to protect you, and we also have a legitimate interest in making sure you are using our computer equipment correctly and that you are not looking at any inappropriate content.

If you want to browse the internet privately, you will need to use your own devices which are not linked to the College's network or internet connection.

YOUR RIGHTS OVER YOUR PERSONAL INFORMATION

You have a number of rights over your personal information, which are:

- the right to make a complaint to the Information Commissioner's Office (ICO) if you are unhappy about the way your personal data is being used – please refer to the ICO's website for further information about this (<https://ico.org.uk/>);
- the right to ask us what personal information about you we are holding and to have access to a copy of your personal information;
- the right to ask us to correct any errors in your personal information;
- the right, in certain circumstances such as where our use of your personal information is based on your consent and we have no other legal basis to use your personal information, to ask us to delete your personal information;
- the right, in certain circumstances such as where we no longer need your personal information, to request that we restrict the use that we are making of your personal information;
- the right, in certain circumstances, to ask us to review and explain our legitimate interests to you; and
- the right, where our use of your personal information is carried out for the purposes of an agreement with us and is carried out by automated means,

to ask us to provide you with a copy of your personal information in a structured, commonly-used, machine-readable format.

CHANGES TO OUR PRIVACY POLICY

We keep our privacy policy under regular review. Any changes we make to our privacy policy in the future will be notified to you by email.

During this part of your enrolment you are asked to provide consent for the College to store, process and in limited circumstances, share elements of personal data. Any activity using this data will be conducted in accordance with the Personal Data Privacy Notice – Learners and Alumni which is available for you to read via a link on the College website.

First, we need to store and process information, in accordance with our privacy notice, to allow proper records of your enrolment to be kept and to support the administration of the programme of study you wish to undertake at the College. Should you not give consent for this, some of your personal data will have to be retained by us to support our legitimate business activities but it will mean that you will not be offered a place at College this academic year.

Do you consent to the processing of your data in this way?

As part of the delivery of our courses to you, our staff will collect the work that you create as well as any assessment material you complete. They may also create digital images or other resources required as part of the assessment process or to contribute to displays and presentations celebrating your hard work and achievements whilst at Chelmsford College.

Alongside this, we have a requirement to take and store a photograph which confirms your identity. This is a condition of enrolment.

Should you participate when images are captured for Marketing purposes, this will be subject to a separate Consent process.

Do you consent to us taking, storing and using images of you in this way?

Finally, during the enrolment process, you have provided details of who to tell should you suffer the onset of a significant illness or be involved in an incident which might lead to substantial harm; your 'Emergency Contact'. We also collected contact details for those with parental, guardianship or other responsibilities for you and who may make contact with the College whilst you are studying with us.

Where appropriate, we use these parent, guardian and/or other contacts' details to discuss with them aspects of your academic achievement, College attendance, or disciplinary matters in order that we can provide the most effective support for your studies. It also allows them to be invited to Parent Evenings and other events.

Where you have provided details, do you confirm your consent to contact with your parent, guardians or other contacts provided by you, and where appropriate your employer or welfare support agencies?

Where we have significant concerns for your safety, for instance prolonged unexplained absence from College, we reserve the right to make contact with parents and/or guardians even if you have not provided consent.

Education & Skills Funding Agency

If you are studying a course which is funded, in whole or in part, by the Education and Skills Funding Agency (ESFA) they will be provided with some personal data as part of our contract with them. The Data Privacy Notice relating to the collection of data by us on their behalf is below.

You will be required to confirm to the ESFA, through your enrolment process with the College, whether you consent to contact about the subjects and in the ways shown below.

ESFA Privacy Notice: 2021/22

Issued May 2021

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.

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 ILR learner data for 3 years for operational purposes and 66 years for research purposes.

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. In these cases, it is part of our statutory duties and we do not need your consent.

Where sharing is not part of the ESFA's statutory duties, you can give your consent to be contacted by other third parties as shown below:

- About courses or learning opportunities.
- For surveys and research.
- By post.
- By phone.
- By e-mail.

For more information about how your personal data is used and your individual rights, please see the DfE Personal Information Charter at:

www.gov.uk/government/organisations/department-for-education/about/personal-information-charter

and the ESFA Privacy Notice at:

<https://www.gov.uk/government/publications/esfa-privacy-notice>

Equality Impact Assessment (EIA) Initial Screening Form

Name of the Policy, Procedure, Practice or Proposal being screened:

Personal Data Privacy Notice – Learners & Alumni

Provide a brief description of its purpose:

The purpose of this document is to lay out how personal data is collected, stored, processed, in some circumstances shared, and deleted.

Are there controls in place to monitor the uniform application of this practice? (if no please explain below)

Yes**~~No~~**

The universal application of these processes is monitored by the Senior Management Team and the Data Protection Working Group; which includes representation from the Governing Body.

Does the policy or process have the potential to affect a particular group disproportionately in either a positive or negative way? Please provide comments with supporting evidence:

The processes are universally applied, without favour, as required by law.

If you have identified a medium or high equality impact please complete the following, otherwise leave blank. Add additional comment below the questions as necessary.

Are there any other policies or practices that need to be assessed alongside this screening?

Yes**No**

Should the policy or practice proceed to a full Equality Impact Assessment?

Yes**No**

If the answer to the above question is no, please give the reasons for this decision:

If a full impact assessment is required, please give the date by which it will be completed

(Note – If you have assessed a negative impact as high, you must seek advice and conduct a full EIA on a high priority basis)

Declaration:

We are satisfied that an initial screening has been carried out and a full Equality Impact Assessment [~~is~~ / is not] required at this time.

(If a full EIA is required, a template form is available within the EIA Guidance Notes which must be read before completing a full EIA).

Manager:

Signature:

M Emerson

Date:

20 Aug 2019

Countersigned

Signature:

A Sparks

Date:

20 Aug 2019