

## **NCG - Kidderminster College Privacy Statement**

### **1. Overview**

We ask that you read this privacy notice carefully as it contains important information on who we are, how and why we collect, store, use and share your personal information, your rights in relation to your personal information and how to contact us and the Information Commissioners Office in the event you have a complaint. From 25 May 2018, NCG shall process your personal data in accordance with the General Data Protection Regulations (GDPR) and the Data Protection Act 2018.

NCG are made up of the following colleges and training providers:

- Newcastle College
- West Lancashire College
- Kidderminster College
- Carlisle College
- Lewisham and Southwark College
- Newcastle Sixth Form College
- Intraining
- Rathbone

Our main establishment is based at:

NCG  
Rye Hill House  
Scotswood Road  
Newcastle Upon Tyne  
NE4 7SA

### **2. Types of personal data we process**

We process personal data about prospective, current and past pupils, their parents or employers, also staff, suppliers and contractors, donors, friends and supporters and other individuals connected to or visiting NCG. The personal data we process takes different forms, it may be factual information, expressions of opinion, images or other recorded information which identifies or relates to a living natural individual. Examples include:

- names, addresses, telephone numbers, email addresses and other contact details;
- family details; • nationality;
- qualifications, prior attainment examination and assessment results, attendance information and details of study, fee receipts, outstanding debts and details of any grants received as applicable;
- admissions, academic, disciplinary and other education related records, information about special educational needs, references, examination scripts and marks;
- education and employment data;
- images, audio and video recordings;
- financial information;
- courses, meetings or events attended.

### **3. Special category of personal data**

Some of your personal data is considered to be special category of personal data under the GDPR. Examples of special category of personal data include:

racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, sexual orientation, health and the processing of genetic and biometric data. We would only process and share these categories of personal data with your express permission or if there is a special legal reason (such as a request for the information by a court).

### **4. Why we hold and process personal data**

When you enrol at your chosen college or training provider, you enter into a contractual agreement however on occasion we may require your consent to process your personal data. NCG holds personal data for the following reasons:

- information we are required to collect by law or to claim funding;
- information we need to deliver your chosen course of study and monitor progress;
- information we need to confirm prior attainment;
- additional information that will allow us to personalise our support to meet your individual needs;
- information we use for marketing, communications, event registrations and advice; • information we gather to provide facilities and ensure security (such as CCTV video).

The first data protection principle requires that NCG must have a legal basis for processing your personal data. Under GDPR, this "legal basis" for processing conditions must be communicated to you, alongside the type of processing they relate to, as part of this privacy notice. As GDPR is a new law, the conditions identified below may be subject to change as more guidance is given or precedents are set. NCG will process your data under the following legal basis:

- Consent
- Contract
- Compliance with a legal obligation
- Legitimate interest

**5. When we will share personal data**

We may share your information with third parties who provide a service for those eligible for support fund awards. When you enrol at the college or training provider you enter into an agreement and are responsible for the payment of any fees, therefore if necessary, we may transfer your personal data to an agent for the purposes of debt collection. On occasion we may also be required to share your information with the police or other law enforcement agencies. At no time will your personal data be passed to other organisations for marketing or sales purposes.

We may disclose your information to our third-party service providers and agents for the purposes of providing services to us, or directly to you on our behalf. When we use third party service providers, we only disclose to them any personal information that is necessary for them to provide their service. We have a contract in place that requires them to keep your information secure and not to use it other than in accordance with our specific instructions.

As an education institution receiving public funding, we may be required to share personal data with awarding organisations, local and national government bodies and public sector agencies such as:

- Department for Education (DfE)
- Department for Business, Innovation, and Skills (BIS)
- Ofsted
- Connexions
- Department of Health (DH)/Primary Care Trusts (PCT)
- Higher Education Funding Council for England (HEFCE)
- National Careers Service (NCS)

•ESFA Privacy Notice

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). It is to inform learners how their personal information will be used by the DfE, the ESFA (an executive agency of the DfE) and any successor bodies to these organisations. For the purposes of relevant data protection legislation, the DfE is the data controller for personal data processed by the ESFA.

Your personal information is used by the DfE to exercise its functions and to meet its statutory responsibilities, including under the Apprenticeships, Skills, Children and Learning Act 2009 and to create and maintain a unique learner number (ULN) and a personal learning record (PLR). Your information will be securely destroyed after it is no longer required for these purposes.

Your information may be shared with third parties for education, training, employment and well-being related purposes, including for research. This will only take place where the law allows it and the sharing is in compliance with data protection legislation.

The English European Social Fund (ESF) Managing Authority (or agents acting on its behalf) may contact you in order for them to carry out research and evaluation to inform the effectiveness of training.

Further information about use of and access to your personal data, details of organisations with whom we regularly share data, information about how long we retain your data, and how to change your consent to being contacted, please visit:

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

- LRS Privacy Notice

The information you supply is 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, as part of the functions of the DfE. For more information about how your information is processed, and to access your Personal Learning Record, please refer to:

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

**6. Transfer of data out of the European Economic Area (EEA)**

NCG do not transfer your personal data outside of the EEA.

**7. How long we retain your personal data**

A retention schedule of personal data can be viewed at Appendix A

**8. Your rights**

When exercising your rights as a data subject it will be necessary for NCG to confirm your identity, the following are examples that NCG would accept in facilitating your request: photocopy of driving licence or birth certification, passport, etc.

- Access to information

At any point you can contact us to request details concerning the information we hold about you, why we have that information, who has access to the information and where we got the information. In most cases you may be entitled to copies of the information we hold concerning you. Once we have received your request we will respond within 30 days.

- Rectifying data

If the data we hold about you is out of date, incomplete or incorrect, you can inform us and we will ensure that it is updated.

- Erasing data

If you feel that we should no longer be using your data or that we are illegally using your data, you can request that we erase the data we hold. When we receive your request, we will confirm whether the data has been deleted or tell you the reason why it cannot be deleted.

- Restricting processing

You have the right to request that NCG stops processing your data. Upon receiving the request, we will contact you to tell you if we are able to comply or if we have legitimate grounds to continue. If data is no longer processed, we may continue to hold your data to comply with your other rights.

- Data portability

You have the right to request that we transfer your data to another organisation. Once we have received your request, we will comply where it is feasible to do so.

- Object to direct marketing

All communication with you, including in relation to updates to this privacy notice, will be made via the preferred method of communication that you have registered with us and you will be able to select the type of correspondence you receive. If, at any stage, you are concerned about the content (e.g. unwanted marketing), frequency (too many) or method (change preference) of these communications, you can unsubscribe or notify us of your decision at any time.

- The right to object to automated decision making / profiling

You have the right not to be subject to automated decision making (making a decision solely based on automated means without any human involvement) and profiling (automated processing of personal data to evaluate certain things about the individual).

- Withdrawing consent

In those cases where we need your consent to process your information, we will ask you to make a positive indication (e.g. to tick a box or insert your contact details on the relevant form or web page requiring consent). By actively providing us with your consent, you are stating that you have been informed as to the type of personal information that will be processed, the reasons for such processing, how it will be used, for how long it will be kept, who else will have access to it and what your rights are as a data subject and that you have read and understood this privacy policy. Where processing is based on consent, you have the right to withdraw consent at any time.

**9. Lodging a complaint with the Information Commissioners Office**

Should you be dissatisfied with NCG's processing of your personal data, you have the right to complain to the Information Commissioner's Office. For more information, please see the Information Commissioner's web site: <https://ico.org.uk/>

**10. Data Protection Officer**

The Data Protection Officer for NCG is Kevin McLoughlin

If you have any questions which you feel have not been covered by this Privacy Notice, or if you have concerns or a complaint in relation to NCG processing your personal data, please do not hesitate to email us at [dpo@ncgrp.co.uk](mailto:dpo@ncgrp.co.uk)

If your request is urgent, please call +44 (0)191 200 4042

**Appendix A – Retention Schedule**

Personal data type	Description	Minimum period data is retained	Maximum period data is retained
Recruitment data	Expressions of interest in courses and open day information	12 months	Up to 24 months after cessation of relationship
Application data	Application forms, interview information		12 months after cessation of relationship (unsuccessful applicants only) 6 years after student leaves (successful applicants))

DBS disclosure	Information relating to criminal records	6 months after checking	3 years for applications processed up until February 2018  6 months after checking for applications processed after February 2018
Core academic data	Transcript like information and basic verification information relating to the individual	Perpetuity	Perpetuity
Financial data	Information relating to student debt and student payments	6 years after student leaves	6 years after student leaves
Reference data in addition to core academic data.	Contents of student file e.g .enrolment record attendance date, emails etc.	1 year after student leaves	6 years after student leaves
Audit/professional/ statutory data	Health and safety records, verification data required by professional body or HEFCE audit	As required	As required
Appeals and complaints/ anticipated or ongoing legal action	Academic and disciplinary appeals, student complaints and litigation	1 year after student leaves for all students	For Cases: 6 years after exhaustion of internal process or after the student leaves
Course information	Programme and Module specifications	Perpetuity	Perpetuity
Quality Assurance	Student surveys, module reviews, programme reviews, minutes of meetings, Exam papers etc.	Current academic year plus 1	None unless individuals are identified
Student assessments and evidence submitted for mitigation, disability notification.	Assessments, exam scripts, and any item that identifies the student e.g. mitigating circumstances minutes, exam board minutes	1 year after student leaves	6 years after student leaves
Learning resources that identify students		Current academic year plus 1	
Learners files used in match claims  (Data shared with the ESF and ESFA for funding purposes)	Contain evidence of eligibility, funded learning activity and ESF publicity e.g. enrolment record/learner file	Until 31 December 2022	Until 31 December 2022
Safeguarding	Contents of student file transferred from school or created at the College	Until the learner is 25	Perpetuity
Student assessment & external Exams	Records documenting & establishment of College's assessment & examination including the control of examination papers & scripts and timetabling of examinations	10 years	Perpetuity