

## Learner Enrolment Privacy Notice

### Who is the Data controller?

Walsall College

Address: Wisemore Campus, Littleton Street West, Walsall, WS2 8ES

[www.walsallcollege.ac.uk](http://www.walsallcollege.ac.uk)

Email: [dataprotection@walsallcollege.ac.uk](mailto:dataprotection@walsallcollege.ac.uk)

Name of Data Protection officer is Gurpreet Sandhu, contact details are 01922 657014

[dataprotection@walsallcollege.ac.uk](mailto:dataprotection@walsallcollege.ac.uk)

### What personal information does Walsall College collect?

We may collect the following personal data about students:

- Name, date of birth and gender
- Contact details – including address, telephone number and email address
- Details of previous qualifications, employment and educational history,
- Information about nationality and residency, and previous address if applicable
- Information about medical or health conditions, including the existence of a learning Disability or difficulty
- Ethnicity
- Photo for ID card
- Funding information, bank details
- Household information, this is information regarding the situation of the people in your house
- Information regarding personal circumstances, including whether or not you have an Education Health Care Plan, Child Protection Plan, whether or not you receive Disabled Students Allowance and care information.
- Lesson recordings

### Why do we collect personal information?

Walsall College collects and processes personal data relating to its learners to effectively manage learning and to meet its statutory obligations as a Further Education College. Walsall College is committed to being transparent about data it collects and uses that data lawfully in line with its data protection obligations.

The above information is collected in in order to meet our legal obligations with the Education Skills & Funding Agency and Higher Education Further Council for England. The information is also necessary in order for us to carry out our public task to provide education and training.

Information about your Household is collected to meet our administrative responsibilities carried out as a public task in the public interest for European Social Fund (ESF) match funding purposes. ESF supports activities to extend and develop employment opportunities and to develop a skilled workforce.

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, monitoring of our service provision and to improve our services to specific groups. Our lawful for this is Equality of opportunity or treatment. We also use the data so we can

personalise the provision to each learner to provide you with best possible opportunities to succeed which relies on consent.

For any information that has been supplied under the lawful basis of consent, your consent can be withdrawn at any time, by contacting the data protection team [dataprotection@walsallcollege.ac.uk](mailto:dataprotection@walsallcollege.ac.uk)

1. Contact details will not be used for marketing or survey purposes without your consent, which can be withdrawn at any time. However the college will use the contact information to contact you in order to carry out our duties in the public task to you, for example to notify you of a change of course date or to receive details of the course you have enrolled onto, and also to obtain data where legally required, such as destination surveys.
2. We collect data about criminal convictions in order to comply with our legal obligations to implement appropriate safeguards for the rights and freedoms of data subjects, for the prevention and detection of unlawful acts.
3. We collect emergency contact details for those over the age of 18 at the start of the academic year, the provision of this information will require consent and is therefore optional.
4. As part of our duty as an education provider we may need to contact your parent/guardian to share information relating to progress on your programme of study. This is part of our Public Task and is a duty of education providers for students under the age of 19.

If for any reason you do not wish for your parent/guardian to be contacted, you will be given the opportunity to tell us this and we will organise a personal review to discuss your circumstances.

5. As part of our duty to keep students, staff and visitors safe and to prevent Student ID badge fraud. We will randomly scan student ID badges, this is to ensure the correct students are in College. The ID scanner will use your ID photo and timetable.

### **Applications and Interviews**

We will collect details of an emergency contact. This is so we can contact someone on your behalf in the event of an emergency during any point of your interview at College. In accordance with our Retention Schedule, we will hold this information for a period of 12 months.

### **Teaching**

As part of the delivery of our courses to you, our staff will collect the work that you create (e.g. for marking purposes), we will use your information for the purposes of teaching you and measuring your achievements. This information is processed as part of our public interest task of providing educational services to you.

We also hold other information about you relating to your studies at Walsall College such as, attendance, progress and any disciplinary or behaviour records; records of applications for support and bursaries; information, advice and guidance; records of tutorials; work experience; exam achievement; and any other information collected as part of your education and training programme.

### **Recorded Teaching Sessions**

We will be recording some of our teaching sessions that are recorded through Teams, Zoom or Google Classrooms. The purpose of recording teaching sessions is part of our legitimate interests. This applies when the data processing is not required by law but is of a clear benefit to the organisation or the individual, there is limited privacy impact on you as the individual and we think

you would reasonably expect us to use the personal data in this way. Tutors do not need to ask permission to record the session, either on campus or if being delivered online. However, we will always notify students that a session is being recorded before the session starts. For more information please read our Privacy Notice for Lecture Recording, <https://www.walsallcollege.ac.uk/wp-content/uploads/2021/01/Recorded-Session-Privacy-Notice.pdf>

The sessions will be stored on the mentioned systems for one calendar year, after this period the recording will be deleted.

## Who has access to data?

Your information may be shared internally with any Walsall College staff who need the data to provide services to you as a learner. This will include special categories of personal data where necessary.

Where Walsall 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, and they are obliged to implement appropriate technical and organisational measures to ensure the security of data.

The organisation shares your data with third parties where there is a legal or contractual obligation. Including awarding bodies, Student Finance England, Debt Collection agency, ESFA, HEFCE, Learner Records Service (LRS) and Walsall Council for learners aged 16-18.

Where your course is fully or partially funded by the ESFA, as part of our contract with the ESFA, we are required to monitor student destinations, 3-6 months after the completion of your programme. Walsall College will do this by sharing your contact details with a designated and approved destination survey collection organisation. This process is designed to ascertain the impact of funded courses by identifying if you have gone on to employment or further learning as a result of the funded programme delivered by the College. The collection and use of this information for this purpose is necessary for this contract and the legitimate interests of the College.

### Information shared with the ESFA

The Education and Skills Funding Agency (ESFA) issue this privacy notice, on behalf of the Secretary of State for the Department of Education (DfE). It is to inform learners how the DfE, the ESFA (an executive agency of the DfE), will use their personal information 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, and 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: [ESFA: privacy notice - GOV.UK](#)

You can agree to be contacted about courses or learning opportunities and for surveys and research by post, phone or e-mail. Your preferences and agreement to be contacted will be collected on your enrolment form and can be updated at any time by contacting [dataprotection@walsallcollege.ac.uk](mailto:dataprotection@walsallcollege.ac.uk).

### **Information Shared with the Learner Records Service (LRS)**

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>.

### **Information Shared for COVID-19 purposes**

In light of the current pandemic the College wishes to make its students and the wider public aware as to how it will be using personal data concerning students. We will only share personal information where it is necessary in a proportionate and secure manner.

Information regarding student's COVID-19 (coronavirus) status may be shared with the following organisations:

- Walsall Council
- Walsall Healthcare NHS Trust
- Public Health England
- The Department of Health
- Other government departments where we are legally required, or where it is necessary for the protection of public health or management of the outbreak.

The lawful basis that the College will rely upon is GDPR Article 6(1)(c), compliance of a legal obligation.

Where the College processes special category data in relation to COVID-19, we will rely upon Article 9 (2)(i) (processing is necessary for reasons of public interest in the area of public health, such as protecting against cross-border threats to health or ensuring high standards of quality and safety of health care), to process your personal information.

### **Information Shared with Student Bursaries – Pay My Student**

For students applying for Bursaries to help with costs of study, the information is collected through a third party system managed by Pay My Student. Data collected is solely for the purposes of managing bursary applications and is not shared outside of this function. The College shares this information as part of our tasks carried out in the public interest.

### **Information Shared with Apprenticeship Electronic Portfolio – Smart Apprentice**

When enrolling onto an Apprenticeship, Walsall College will share your data with Smart Apprentice who provide electronic portfolio (e-portfolio) via a web based application. The College shares this information as part of our tasks carried out in the public interest.

### **Information Shared With Prospects**

Walsall College shares data at various points through the year with Prospects. This data includes Applications & Progression Data (learners who are hoping to either return to the College or have applied to study at the College in academic year 2018/19). Enrolment Lists (details of any learner who is studying at Walsall College) and Starters/Leavers Data (details of any learner who has either started at or left Walsall College in the previous month). It is shared via a secure web based application. The College shares this information as part of our tasks carried out in the public interest.

### **Information Shared with West Midlands Combined Authority**

For students whose course is funded by the West Midlands Combined Authority (WMCA), you may be contacted by the authority (or agents acting in its behalf) in order for them to carry out research and evaluation to inform them of the effectiveness of the training received.

To read about how WMCA use your personal data, please visit their website

<https://www.wmca.org.uk/media/3148/aeb-privacy-notice-2019-20.pdf>.

### **Apprenticeships**

#### **Information Shared with Awarding Bodies**

Walsall College will share your personal data with relevant awarding bodies in order to accredit your qualifications. The personal data that is shared with the awarding body will only be what is necessary for the awarding body to carry out the accreditation of your qualification.

Awarding Body employees, such as, External Verifier's and moderators, may contact you via the telephone number that you have provided the College. This is to ensure that the College has delivered the qualification correctly and that you have been happy with how the qualification has been taught.

#### **Information Shared with Employers**

We may share your Unique Learner Number and your Individual Learning Plan with your employer where it is the legitimate interests of the College to do so; we will only share information where such interests are not overridden by the interests, rights and freedoms of the individual.

#### **Career Guidance Service**

Walsall College will contact you by telephone, email or post in order to offer a Careers appointment with a Level 6 qualified Careers Officer in line with the Government's Careers Strategy.

## **Do we process data outside the European Union?**

The College may transfer personal data outside the European Union to other countries on the basis that such countries are designated as having an adequate level of protection or that the organisation receiving the information has provided adequate safeguards (e.g. by way of corporate rules or standard data protection clauses), or where the College obtains your explicit consent to such transfers.

We will inform you of any envisaged international transfers in the relevant privacy notice.

## **How does the organisation protect data?**

Walsall College takes the security of your data seriously and has internal policies and controls in place to ensure that your data is not lost, corrupted, accidentally destroyed, rendered

unavailable, misused or disclosed, and is not accessed except by authorised employees in the performance of their duties. The Data Protection policy is available to view on our website.

## For how long does the organisation keep data?

All data collected and processed on behalf of the ESFA or HEFCE will be held for as long as we are legally required to do so, as set out in the College retention schedule [link].

All other data will be held as long as is necessary to fulfil our legal obligations or carry out public functions. Details of how long specific records are retained is set out in the Retention Schedule.

## What rights do you have?

As an individual, you have a number of rights. You have the right to be informed about how and why your data is being processed and that is why we include the information in this privacy notice. You can also:

- access and obtain a copy of your data on request;
- require Walsall College to update incorrect or incomplete data;
- require the college to delete or stop processing your data, for example where the data is no longer necessary for the stated purposes of processing (specific circumstances only);
- obtain and reuse your data for your own purposes across different services. (limited circumstances);
- object to the processing of personal information (specific circumstances); and
- object to the processing of your data for marketing purposes, this right always applies. Where the College is relying on its legitimate interests or performance of a public task as the legal basis for processing your personal data, you may also object to the processing and this will be considered on a case-by-case basis.

In certain circumstances you have the right to have your personal data deleted, this is where the College does not have a justification to retain it. Below is a list of circumstances where the College would delete your personal data:

- Where your personal information is no longer necessary for the purpose that the College originally collected and processed it;
- When the legal basis relied on is Consent and you withdraw that consent;
- If we are relying on our legitimate interests as the legal basis for processing and you have objected and your interests rights or freedoms override our legitimate interests;
- When you have objected to the processing and the College is using your data for direct marketing purposes;
- The personal data was unlawfully processed by the
- It is necessary to delete your personal information to comply with a legal obligation;
- The personal information is processed by the College as part of the delivery of information society services to a child under 16 years old. \*ISS any service normally provided for remuneration, at a distance, by electronic means and at the individual request of a recipient of services. e.g. websites, apps, search engines, online marketplaces and online content services such as on-demand music, gaming and video services

However, the right to be forgotten does not apply where the College relies on the following:

- To comply with a legal obligation;
- In order to carry out a task in the public interest or in the exercise of our official authority as a public body and institute of higher education;

- To establish, exercise or defend legal claims;
- To exercise the right of freedom of expression and information;
- For archiving purposes in the public interest, scientific research, historical research or statistical purposes where erasure is likely to make it impossible or considerably difficult for to do this.

If you would like to exercise any of these rights, please visit our Individual Rights page on <https://individualrights.walsallcollege.ac.uk/>.

Where we reply upon student consent to process data this consent can be withdrawn at any time by contacting the IS Manager at [twilde@walsallcollege.ac.uk](mailto:twilde@walsallcollege.ac.uk)

## Who can I complain to?

If you believe that Walsall College has not complied with your data protection rights, you can complain to the data protection officer at [dataprotection@walsallcollege.ac.uk](mailto:dataprotection@walsallcollege.ac.uk). You also have the right to complain to the Information Commissioner at <https://ico.org.uk>

## What if I do not provide personal data?

Data that is mandatory to provide will be highlighted on your enrolment form and failure to provide mandatory data required by the College to meet legal obligations in regard to provision to teaching and learning, safeguarding or other statutory obligation will impact on your ability to enrol or receive funding.

## Changes to the Privacy Notice

This Privacy Notice is regularly reviewed. This is to make sure that we continue to meet the highest standards and to protect your privacy. We reserve the right at all times, to update, modify or amend this Notice. We will not significantly change how we use information you have already given to us without your prior agreement. The latest version of this Notice can be found at on the College's website. This Privacy Notice was last updated on 29 April 2021.