

## The College of Richard Collyer Privacy Notice

If you have any queries concerning this Privacy Notice, please contact a member of the Data Protection Team. The Data Protection Officer (DPO) role is split between 3 members of staff, the Principal, Deputy Principal and Director of Information Services:

- The Principal has overall responsibility for and is responsible for developing the College's Data Protection Policy and ensuring the College is compliant with legislation;
- The Deputy Principal is responsible for the delivery of the internal training to College staff;
- The Director of Information Services is responsible for providing technical expertise and guidance to the Principal and Deputy Principal and reporting data breaches to the ICO

### 1. The Purpose of this Privacy Notice

The College of Richard Collyer (Collyer's) is a Sixth Form College based in Horsham West Sussex, specialising in education for the 16-19 age group. You can find more about us at [www.collyers.ac.uk](http://www.collyers.ac.uk). Collyer's is registered under the Data Protection Act 1998 which means the purposes for which the College collects and processes personal data is notified to and registered with the Information Commissioner's Office (ICO).

**The General Data Protection Regulation (GDPR) came into effect on 25<sup>th</sup> May 2018** and will strengthen the rights which individuals have over the collection, processing and storage of personal data. Under the new **GDPR**, anyone has the **right to be informed** about how their data is processed. This Privacy Notice is intended to inform you about personal information that we record about you. It sets out the conditions under which we may process any information that we collect from you, or that you provide to us. It covers information that could identify you ('personal data') and information that could not. In the context of the law and this notice, 'process' means collect, store, transfer, use or otherwise act on information.

### 2. How we use your personal Information

Collyer's promises to collect, store and process your personal data only for legitimate purposes. This includes what you disclose at application or interview and what we learn about you after enrolment as a student or appointment as a staff member, volunteer, governor or trustee. This Privacy Notice explains how we do this and tells you about your privacy rights and how the law protects you.

### 3. Collyer's Privacy Promise

We promise to keep your personal data safe and private and give you a regular opportunity, at least once a year, to update it. We promise not to sell your personal data to a third party and we will not transfer your personal data to a third party unless there is a legal requirement to do so or a legitimate business need, for example for the purpose of processing payroll. We will give you access to your personal data within a reasonable time limit should you require it. See Collyer's Data Protection Policy.

### 4. How the Law protects you

This Privacy Notice explains in some detail what kinds of personal information we collect, why we collect it, why and how we process it and how and for how long we store it. The Data Protection Act permits the College to process your personal information if we have a legitimate reason, business reason or legal requirement to do so. Please see Table 1. For example, the College will process student data in the interest of supporting a student's education and progression. The College is also legally required to share students' personal data with the Education and Skills Funding Agency. The College may have a legal duty to share your information, for example in relation to safeguarding or PREVENT or we may ask you to consent to us sharing or processing

your personal information for advertising purposes or reporting purposes, for example governor attendance at committee meetings.

## 5. How We Collect Your Personal Data

We collect personal data from you when you apply to study, work or volunteer for example as a governor at Collyer's. The type of personal data we collect depends on your role with us. Please see Table 1. We need to collect personal data such as qualifications to check if the proposed courses you wish to study are appropriate or if you qualify for the job role for which you have applied. In addition, further information gathered at interview will be recorded.

**Table 1**

<b>Personal Information Type*</b> <i>This list is not exhaustive</i>	<b>Description</b>	<b>Reasons for requesting Personal Data which lie within business and legitimate interests and legal duties*</b> <i>This list is not exhaustive</i>
Contact	Your name, date of birth, where you live and how to contact you e.g., home and mobile phone numbers <i>Students, Staff, Volunteers, Governors, Parents/Carers</i>	There are a number of business and legitimate reasons it is necessary to contact you or for us to hold this information Such contact information will be held securely and not shared with anyone else or made public. Some internal email groups will be created in which you will be able to see other members' email addresses
Contractual/ Finance	Business name, address, telephone numbers and bank details <i>Suppliers, Customers</i>	To purchase goods or services e.g. resources, IT equipment, contractors, banking  To provide goods or services e.g. lettings, payroll, pension providers
Contractual	Details about your employee's contract or enrolment contract, including qualifications and references <i>Students, Staff</i>  Current employment, appointments (voluntary or other) membership of professional bodies, groups or organisations, or any other interests not mentioned above <i>Staff, Governors</i>  GDPR commitment statements <i>Suppliers, Customers</i>	To manage employee and employer relationships To manage student and teacher relationships Fulfilling contractual obligations is a legal duty  For governors we collect this information to identify possible conflicts of interest  To ensure that all suppliers and customers adhere to GDPR procedures
Locational	Data we get about where you are, such as may come from your mobile phone, the address where you connect a computer to the internet <i>Students, Staff, Volunteers, Governors</i>	Complying with regulations that apply to us for example Data Protection and Safeguarding. See Acceptable use of Computers Agreement

Technical	Details on the devices and technology you use via the College wifi <i>Students, Staff, Volunteers, Governors</i>	Complying with regulations that apply to us for example Data Protection and Safeguarding. See Acceptable use of Computers Agreement. Also monitoring business need and where we may need additional resource
Special types of personal data	The law and other regulations treat some types of personal information as special. We will only collect and use these types of data if the law allows us to do so: racial or ethnic origin, religious or philosophical beliefs, trade union membership, genetic and bio-metric data, health data including gender, criminal convictions and offences <i>Students, Staff, Volunteers, Governors</i>	We need to collect data on learning needs and health needs in order to support students effectively in their studies and personal wellbeing. In order to monitor diversity effectively, it is necessary to collect personal information concerning protected characteristics under the Equality Act 2010. You may be asked to complete an Equal Opportunities Form, although completion is voluntary. Reports on Equal Opportunities are anonymised. Staff may need to access information about your learning and health needs from the EVOLVE and Holistic data bases
Socio-Demographic	This includes details about your work or profession, nationality, education and where you/parent/guardian fit into general social or income groupings <i>Students, Staff</i>	See 'Special Types of Personal Data' above. The ESFA requires this information for funding purposes. UCAS requests this information for monitoring diversity and inclusion and in making decisions related to contextual offers We may require evidence of family income or benefits to assess your eligibility for fee remission, a bursary or free College meals
Financial	Your bank details. <i>Staff, Volunteers, Governors, Parents</i>	This may be to pay staff or reimburse expenses for example to governors. Parents can provide bank details for refunds for example for a trip which is no longer taking place after a deposit has been paid
Transactional	Details about payments to and from your accounts with us, and salary payments <i>Staff, Volunteers, Governors, Parents</i>  Details about educational progress <i>Students</i>  Details about professional progress <i>Staff</i>	To pay staff or reimburse expenses for example to governors. The College also has a legal duty to make additional employer payments relating to salary for example National Insurance contributions and LGPS and TPS pension contributions  We share this information between staff to monitor students' progress and for the purposes of report and reference writing We share this information between line managers for the purposes of monitoring professional progress (appraisal and more widely performance management) and for the purposes of reference writing or writing reports to governors on student achievements or staff appointments, probation and appraisal

Documentary Data	Details about you that are stored in documents in different formats, or copies of them. This could include things like your passport, driver's licence, birth certificate or qualification certificates <i>Students, Staff, Volunteers, Governors</i>	We collect this information to ensure you are qualified or have the residency status to study the course on which you are enrolled or to take up the job role for which you have been employed. For example the legal requirement for all staff, volunteers and governors to have DBS checks
Consent	Any permissions, consents or preferences that you give us. This includes things like permitting Parent/Guardian access to selected areas of your information, appointments, progress, subject reviews and/or attendance <i>Students, Staff and Governors</i>	We request this information from students in order that we can communicate effectively with parent/s, carer/s about a student's academic progress and personal wellbeing
Open Data and Public Records	Details about you that are in public records, such as the Electoral Register, and information about you that is openly available on the internet <i>Students, Staff, Volunteers, Governors</i>	Public interest. We may store this information if you work with us in a voluntary capacity or as a governor in order to inform how we can best make use of your skills and experience
National Identifier	A number or code given to you by a government to identify who you are, such as a National Insurance Number or Unique Learner Number <i>Students, Staff, Volunteers, Governors</i>	We need National Insurance Numbers for legal reasons and ULNs for the efficient management of students' qualifications and examination entries
Social Relationships	Your family, friends and other relationships <i>Students, Staff, Governors</i>	We will request your consent for this information. For example Register of Interests for Staff and Governors will include reference to family and close personal relationships

## 6. Sharing your personal information with third parties

A student's information may be shared internally, including with any staff who need the data to provide services to the student. This will include special categories of data where appropriate. The College with a student's consent shares selected parts of personal data with Parents/Carers. Limited student and staff data will be shared with the Trustees of the Collyer Endowment in relation to their charitable purposes in supporting prizegiving and provision of the land and buildings for the College. Where the College engages non-statutory third parties to process personal data on its behalf, for example payroll for staff, the College requires 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 personal data. The College has a legal obligation to share personal data with the Education and Skills Funding Agency, HMRC and stakeholders in your job role for example line managers or the Clerk to the Governors. The Department for Education is the data controller for personal data processed by the ESFA. For staff and volunteers such as governors we will share some of your personal information such as your name, address and date of birth with the Disclosure and Barring Service (DBS) so that they can check whether you have any previous convictions which would make you unsuitable for working with children and young people.

## **7. How we store your data**

Data will be stored in a range of different places, including the student information management systems, on paper in secure places, or on electronic documents within a secure network. The College takes the security of personal data seriously. The College has internal policies and controls in place to try to ensure that personal data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties. See the College's Data Protection Policy.

## **8. Sending data outside of the EEA**

We will not send your personal data outside of the European Economic Area ('EEA') and any cloud base storage providers we use will be based in the UK.

## **9. Marketing**

We may use your personal information, including images of you (photos or videos) in publicity material such as advertisements, information leaflets, newsletters, press releases or on our website to raise awareness of the services provided by the College. We will always ask your consent to use your personal information for marketing purposes.

## **10. Use of our Website**

Wherever possible, we aim to obtain your explicit consent to process information gleaned from your use of the Collyer's website, for example, by asking you to agree to our use of cookies.

Sometimes you might give your consent implicitly, such as when you send us a message by e-mail to which you would reasonably expect us to reply.

Except where you have consented to our use of your information for a specific purpose, we do not use your information in any way that would identify you personally. We may aggregate it in a general way and use it to provide class information, for example to monitor the performance of a particular page on our website.

## **11. Personal Information and Automated Decisions**

We sometimes use systems to make automated decisions for example regarding student attendance of classes.

## **12. How long we keep your personal information**

We will keep your personal information for as long as you are a student, an employee, volunteer such as a governor. When you leave College or your role, we must keep selected personal data to meet any legal requirements or otherwise as stated in the relevant Fair Notice document available from the College or in the Data Protection Policy on the college website.

## **13. Letting us know if your personal information is incorrect**

You have the right to question any personal information we hold that you think is wrong or incomplete. Staff and volunteers should update their personal data via HR, students via Registry and governors via the Clerk. The College provides systems to permit you to check your data and where it is incorrect, the College will take reasonable steps to check its accuracy and correct it.

## **14. How to get a copy of the personal information we hold**

You can request to see the personal information we hold by contacting the College Data Protection Coordinator. Under GDPR, from 25 May 2018, you will have the right to request your personal

information from us in a format that can be easily re-used. You can also ask us to pass on your personal information in this format to other organisations.

### **15. What if you choose to withhold your personal information or withdraw your consent for us to hold and process your information?**

We may need to collect personal information by law, or under the terms of a contract we have with you. If you choose not to give us this personal information, or withdraw your consent to us holding or processing your personal information, it may delay or prevent us from meeting our obligations to you as a student or employee. It may also mean that we cannot perform services needed to support you as a student or employee. It could mean you cannot continue your employment or remain a student with us.

### **16. What if you want us to stop using your personal information?**

**The right to data portability** introduced by Article 20 of the **GDPR** is one that does not have an equivalent in the **Data** Protection Directive that it replaces. In practice, this right allows you the **data subject** to request a copy of all personal **data** that you have provided and which is processed by the College. You have the right to object to our use of your personal information, or to ask us to delete, remove, or stop using your personal information if there is no need for us to keep it. This is known as the 'right to object' and 'right to erasure', or the 'right to be forgotten'. The College cannot guarantee that following a request of deletion of personal data that 100% of personal data will be deleted.

There may be legal or other official reasons why we need to keep or use your data. But please tell us if you think that we should not be using it.

We may sometimes be able to restrict the use of your data. This means that it can only be used for certain things, to exercise legal rights. In this situation, we would not use or share your information in other ways while it is restricted. If you want to object to how we use your personal information, or ask us to delete it or restrict how we use it or, please contact the College Data Protection Coordinator. Please see paragraph 13 above if you wish to withdraw your consent and you are a current student, employee or volunteer such as a governor.

### **17. Complaints**

If you have a complaint about the way we are processing your data or any aspect of this Privacy Notice, please address your complaint in the first instance to the Data Protection Coordinator. You also have the right to complain to the Information Commissioner's Office if you believe we are processing your personal data without a legitimate reason to do so. The complaints form is available from their website. <https://ico.org.uk/concerns/>

### **18. Legal Framework**

The College of Richard Collyer is the Data Controller as defined by the Data Protection Act 1998 for The College of Richard Collyer Governing Body. If you have any questions, or want more details about how we use your personal information, you can email [DataProtection@collyers.ac.uk](mailto:DataProtection@collyers.ac.uk) or you can telephone us on 01403 210 822

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