

# Notre Dame Catholic Sixth Form College

## PRIVACY NOTICE for STUDENTS (GDPR)

Notre Dame Catholic Sixth Form College (College) is registered under the Data Protection Act 1998 (DPA). This means that 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 Regulations 2018 (GDPR), which come into effect on 25 May 2018, strengthen the rights which individuals have over their data which organisations collect and process.

Companies that gather personal data have to, by law, notify the Information Commissioner that they are doing so. At the College we are committed to protecting your personal information and will look after the information you entrust to us keeping it safe and secure. Personal data is information which 'relates to and identifies a living individual'. Personal data should be adequate, relevant and limited to what is necessary.

Notre Dame Catholic Sixth Form College is a **data controller** under GDPR.

We collect and use student information under Article 6 (1) of the GDPR:

- (c) *processing is necessary for compliance with a legal obligation to which the controller is subject*
- (d) *processing is necessary in order to protect the vital interests of the data subject*

We use student applicant data:

- o to assess an applicant's suitability for a programme of study at the College
- o to assess if we are able to provide appropriate support, care and guidance
- o to ensure we meet all statutory requirements of SEND, safeguarding and equality & diversity

We also collect the information to meet the requirements of the *Funding guidance for young people (Funding regulations)* published by the Education & Skills Funding Agency which can be found here <https://www.gov.uk/government/publications/advice-funding-regulations-for-post-16-provision>

We use student data:

- o to support student learning
- o to monitor and report on student progress
- o to provide appropriate student support, care and guidance
- o to assess the quality of our services
- o to comply with the law regarding data sharing
- o to ensure we meet all statutory requirements of SEND, safeguarding and equality & diversity

We will use the information provided in a manner that conforms with the DPA, the GDPR and the Human Rights Act 1998.

We do not undertake any automated decision making.

The College is committed to being transparent about how it collects, uses, stores and deletes data and to meeting its data protection obligations.

### **Categories of student information that we collect, hold and share include:**

- o Personal information (e.g. name, address, contact details, next of kin & unique learner number)
- o Characteristics (e.g. ethnicity, nationality, country of birth & free meal eligibility)
- o Attendance information (such as sessions attended, number of absences and absence reasons)
- o Relevant medical information, special educational needs information
- o Safeguarding information
- o Assessment information
- o Post-18 destination information
- o Pre-16 school behavioural and performance information

## Collecting student information

Whilst the majority of student information you provide to us is mandatory in order to fulfil your education aims at the College, some of it is provided to us on a voluntary basis. In order to comply with the GDPR, we will inform you whether you have a choice in this.

## Storing student data (how long is data held for)

Retention of records is based on the principle that your personal data will not normally be kept for longer than is broadly necessary. The College operates within statutory and best practice timescales for the retention of data. The following timescales all commence from the date a student **completes** their education at the College as whilst they are a current student, we will hold this information:

- Student personal information and characteristics 2 years
- UCAS references 2 years
- Assessment and attendance data 2 years
- Special educational needs information 8 years (or until the student is 25)  
[add LAB note re CP case]
- Safeguarding information 8 years (or until the student is 25)
- Pre-16 school behavioural and performance information 2 years

Where someone applies for a place at the College and does not take up that place, all information will not normally be kept for longer than 1 year.

## Why we share student information

We do not share information about our students with anyone without consent, unless the law and our policies allow us to do so.

We share students' data with the Department for Education (DfE) and the Education & Skills Funding Agency on a statutory basis. This data sharing underpins funding and educational attainment policy and monitoring. We are required to share information about our students with the (DfE) under regulation 5 of The Education (Information about Individual Students) (England) Regulations 2013.

The DfE and ESFA have 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 student 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>

## Who do we share student information with?

We routinely share student information with:

- Department for Education (DfE)
- Education and Skills Funding Agency
- JCQ and examination boards
- Local authorities
- post-16 education and training providers
- youth support services
- careers advisers

We occasionally share student information with:

- o Social Services
- o Medical practitioners
- o Police

Otherwise, before sharing information with a third party, we will either obtain your consent or establish that the sharing is necessary (which includes ensuring that the data shared is kept to a minimum), fair and otherwise within the law.

We will not pass your information to third parties for direct marketing purposes.

### **Data collection requirements**

To find out more about the data collection requirements placed on us by the Education & Skills Funding Agency via the 'Individualised Learner Record' please go to

[https://www.gov.uk/government/collections/individualised-learner-record-ilr#2017-to-2018-individualised-learner-record-\(ilr\)-data](https://www.gov.uk/government/collections/individualised-learner-record-ilr#2017-to-2018-individualised-learner-record-(ilr)-data)

### **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 this, please contact the College Data Protection Officer who will consider and process the request.

You also have the right to:

- o object to processing of personal data that is likely to cause, or is causing, damage or distress
- o prevent processing for the purpose of direct marketing
- o object to decisions being taken by automated means
- o in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed
- o claim compensation for damages caused by a breach of the Data Protection regulations
- o make a subject data access request (please see link on website)

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance, or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Contact:

If you would like to discuss, or require clarification regarding this privacy notice, please contact:

- o Data Protection Officer Mark Shillito
- o Email address m.shillito@notredamecoll.ac.uk

### **Changes to this privacy notice**

We will continually review and update this privacy notice to reflect changes in our practices and, when appropriate, in response to feedback from the public, as well as to take into account changes in the law.