

# Northampton College Privacy Notice

## How we use student information

### What is a Privacy Notice?

A privacy notice is a statement that describes how Northampton College collects, uses, retains and discloses personal information. This Privacy Notice relates to the personal data of students.

To ensure that we process your personal data fairly and lawfully we are required to inform you:

- Why we need your data
- How it will be used
- Who it will be shared with
- What rights you have to control how we use your information

The law determines how organisations can use personal information. The key laws are: the General Data Protection Regulation (GDPR) enforced 25th May 2018 and the Data Protection Act 1998 (DPA).

There are three separate privacy statements relating to individuals who are Northampton College staff, associates, or job applicants:

- Privacy Notice – Employees
- Privacy Notice – Associates
- Privacy Notice – Job Applicants

### What will we use your data for?

#### The categories of student information that we collect, hold and share include:

- Personal information (such as name, date of birth, unique learner number (ULN), national insurance number, address, country of residence, recording of document (e.g. passport) numbers to prove evidence of residency, contact details such as mobile number and email address, prior level of educational attainment, employment status and details, evidence of benefit status and/or low wage (for fee remission), next of kin details and signature)
- Sensitive Personal Data (such as race, ethnicity, sex, learning difficulty/disability, special educational needs information, relevant medical information, nationality, and criminal convictions)
- Study programme/course enrolment details including your in-learning status (e.g. enrolled, withdrawn), achievement outcomes (results) and destination information
- Attendance information (such as sessions attended, number of absences and absence reasons)

- Financial information (such as fees paid for a course, part-payment/invoice agreements), evidence of benefit status and/or low wage (for fee remission)

## Why we collect and use this information

We use student data:

- to meet our contractual agreement with the Education and Skills Funding Agency (ESFA) and the Office for Students (OfS)
- to support student learning
- to monitor and report on student progress and achievement (including accessing completed exam paper scripts from awarding bodies)
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing

We also collect personal data in the following situations:

- Open Event registration – so that we can facilitate the event and provide you with an acceptable service
- Visitors to the College – student applicants, associate colleagues, job applicants, stakeholders, dignitaries, external training providers/guest speakers, suppliers and tradespeople
- CCTV – which operates inside and outside the building for security purposes
- When you contact us: enquiries (visitor, telephone, email or online form submission), compliments, complaints, web chat, social media

## The lawful basis on which we use this information

We collect and use student information under the lawful basis of **Legal obligation, Public Task, Contract** and **Legitimate Interest**.

Legislation identifies certain data as being 'special category data'. This means that an organisation has to identify, in addition to the lawful basis for using the data, a 'condition' for collecting and processing it.

From a student perspective, the College collects categories of Special Category Data and the table below denotes the lawful basis and condition for collecting these.

Type of Special Category Data	Lawful Basis - Article 6	Condition for processing special category data -
Health (data in addition to funding body requirements)  Race  Ethnicity  Learning Difficulties/Disabilities         Criminal Convictions	<p><b>Legal Obligation/Contract</b></p> <p>The data processing is necessary for the performance of a contract to which the data subject is partly or in order to take steps at the request of the data subject prior to entering into a contract</p> <p>The data processing is necessary for compliance with a legal obligation to which the controller is subject</p> <p>The data processing is necessary in order to protect the vital interests of the data subject or of another natural person</p>	<p>Article 9:</p> <p>Explicit consent</p> <p>Employment or social security/protection requirements</p> <p>Protecting the vital interests of the student or another party</p> <p>The exercise or defence of a legal claim</p> <p>Reasons of substantial public interest</p> <p>Purposes of medical or health care</p> <p>Article 10:</p> <p>To safeguard young people and vulnerable adults from any person who has a criminal conviction or record of behaviour that could post a risk to their safety and well-being. This is in accordance with the Keeping Children Safe in Education Statutory Guidance.</p>

Northampton College has legal obligation to provide the information to the ESFA, OfS and the Department of Education (DfE). The ESFA and DfE use the information to perform statutory functions on behalf of the Secretary of State as set out in the Apprenticeships, Skills, Children and Learning Act 2009 and for the exercise of functions of the Crown, a Minister of the Crown or that government department.

## Storing student data

We hold student data for:

Type of Record	Minimum Retention Period
<b>FACILITIES</b>	
CCTV recordings	One month (or until hard drive is full). CCTV recordings may be burnt to disc and held pending investigation
Financial records (including purchase and sales invoices, bank statements, receipts, payment requests and supporting documents, journals, reports and accounts – electronic and hard copy)	7 years after end of the financial year to which the records relate

Type of Record	Minimum Retention Period
<b>ENQUIRIES, APPLICATIONS, ADMISSIONS &amp; INDUCTION</b>	
Records documenting the handling of enquiries from prospective students	One year after course ends
Records documenting the handling of applications for admission: unsuccessful applications	One year after course ends
<b>PAPERBASED STUDENT FILES COLLATED DURING ACADEMIC CAREER</b>	
Full student records, including documents relating to: <ul style="list-style-type: none"> <li>- Application/admission</li> <li>- Enrolment/learning agreement/files</li> <li>- Employer Liability/H&amp;S (apprenticeships)</li> <li>- Contact/attendance (paper based)</li> <li>- Change of personal details</li> <li>- Diagnostic/Assessments/ILP</li> <li>- Qualifications on Entry</li> <li>- Transfer, withdrawal or termination of studies</li> <li>- Academic achievements</li> <li>- Reference requests/responses</li> </ul>	6 years after course ends unless directly or indirectly (match) funded by the ESF where documents need to be retained until 31st December 2030
<b>ELECTRONIC STUDENT FILES COLLATED DURING ACADEMIC CAREER</b>	
Scanned copy of full student records including documents relating to: <ul style="list-style-type: none"> <li>- Application/admission</li> <li>- Enrolment/learning agreement/files</li> <li>- Employer Liability/H&amp;S (apprenticeships)</li> <li>- Contact/attendance</li> <li>- Change of personal details</li> <li>- Diagnostic/Assessments/ILP</li> <li>- Qualifications on Entry</li> <li>- Transfer, withdrawal or termination of studies</li> <li>- Academic achievements</li> <li>- Reference requests/responses</li> </ul>	10 years after course ends unless directly or indirectly (match) funded by the ESF where documents need to be retained until 31 December 2030.  This period may need to be extended.
<b>NETWORK ACCOUNT CREATION</b>	
- Student network account	Current academic year or length of programme, plus 3 months.
- Student home area	
- Student OneDrive account	
<b>MOODLE</b>	
Student account	Current academic year plus 3 months or length of programme.
<b>e-ILP</b>	
- Personal details	One academic year plus the current year.
- Course details	
- Qualifications on entry	

Type of Record	Minimum Retention Period
<ul style="list-style-type: none"> <li>- Exam results</li> <li>- Attendance records</li> <li>- Additional notes</li> <li>- Progress reviews</li> <li>- Learning plan</li> <li>- At risk comments/flag</li> <li>- Additional Support meetings/strategies</li> <li>- Disciplinary details</li> <li>- SMART Targets</li> </ul>	
<b>PROGRAMME &amp; EXAMINATION ADMINISTRATION (inc Work/Study Placements)</b>	
Documents referring to coursework marks/grades and assessment.	6 years after course ends
Electronic records of coursework assessment marks/grades held within ProMonitor Markbook.	6 years after course ends
Electronic records of coursework assessment marks/grades held outside of ProMonitor Markbook.	6 years after course ends
Records documenting organisation of students' work/study placements.	6 years after course ends
Records documenting organisation of examination facilities (inc. special arrangements); attendance at examinations; handling of impaired performance claims; collation and notification of results.	6 years after course ends
<b>QUALITY ASSURANCE</b>	
Records documenting the conduct and results of disciplinary proceedings against individual students.	6 years after course ends.
Records documenting the handling and results of academic appeals by individual students.	6 years after course ends.
Records documenting the handling of formal complaints & compliments made by individual students.	Last action on complaint plus 6 years.
Records documenting the handling of complaints made by individual students where formal complaints procedure is not initiated.	Last action on complaint plus 3 years.
Electronic and paper Curriculum and Apprenticeship Monitoring Meeting Records.	Current academic year plus 5 years
Electronic records of EV Reports.	Current academic year plus 6 years
Electronic and paper records of IQR reports.	Current academic year plus 5 years
<b>STUDENT SERVICES</b>	

Type of Record	Minimum Retention Period
Bursary fund claims and payments	6 years after the end of the course
Learning Support records	6 years after the end of the course
Additional Support records	6 years after the end of the course
Safeguarding documents/records	Copies of reports, notes, etc, are kept securely locked at all times and then retained until the 25 <sup>th</sup> anniversary of the child's birth, or if the child dies before age 18, for 6 years from the date of death.
	Copies of reports, notes, etc, for 'Children Looked After' are kept for either the 75 <sup>th</sup> anniversary of the child's birth, or if the child dies before age 18, for 15 years from the date of death.
	Copies of reports regarding allegations made against staff are kept securely until at least the 25 <sup>th</sup> birthday of any child or seven years in any other case.
	Records are securely disposed of and a record of disposal kept. Paper records are shredded and electronic records deleted.

## Who we share student information with

We share student information with:

- Parents, Guardians and Carers if you are aged under 18
- Education Skills Funding Agency (ESFA)
- Office of Standards in Education (OFSTED)
- the Department for Education (DfE)
- Department of Works and Pensions
- Office for Students (OfS)
- Office of the Independent Adjudicator (OIA)
- Prospects (National Careers Service)
- Local and Combined Authorities in England
- Government agencies such as the Home Office, UK Visas and Immigration, Police (including PREVENT counter terrorism) and Social services if deemed necessary (such as safeguarding of young people and vulnerable adults) and within the confines of legislation.
- Work experience and placement organisations
- Employers of students who sponsor learning
- Employers of apprentices
- Employer of other funded work based learning
- University of Northampton
- Learning Curve – sub-contracted distance learning
- Awarding Organisations

Northampton College also has Data Sharing Agreements with a number of organisations where there is an identified lawful basis.

## 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 Education Skills Funding Agency (ESFA), Office for Students (OfS), and the Department for Education (DfE) on a statutory basis. This data sharing underpins College funding and allows the ESFA and DfE to perform statutory functions on behalf of the Secretary of State as set out in the Apprenticeships, Skills, Children and Learning Act 2009 and for the exercise of functions of the Crown, a Minister of the Crown or that government department.

We share information such as students' attendance and details of their progress with parents, guardians and carers unless the student (aged 16-18) specifically asks us not to.

**How the Education Skills Funding Agency (ESFA) uses your personal data:**

# **ILR Privacy Notice 2023 to 2024 version 1 May 2023**

## **Privacy Notice**

**Training providers should ensure that all learners have seen this privacy notice as part of their enrolment process.**

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. Our lawful basis for using your special category personal data is covered under Substantial Public Interest based in law (Article 9(2)(g)) of GDPR legislation. This processing is under Section 54 of the Further and Higher Education Act (1992).

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 your ILR learner data for 20 years for operational purposes (e.g. to fund your learning and to publish official statistics). Your personal data is then retained in our research databases until you are aged 80 years so that it can be used for long-term research purposes. For more information about the ILR and the data collected, please see the ILR specification at <https://www.gov.uk/government/collections/individualised-learner-record-ilr>

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.

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



(<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>) and the DfE Privacy Notice (<https://www.gov.uk/government/publications/privacy-notice-for-key-stage-5-and-adult-education>)

If you would like to get in touch with us or request a copy of the personal information DfE holds about you, you can contact the DfE in the following ways:

- Using our online contact form [https://form.education.gov.uk/service/Contact the Department for Education](https://form.education.gov.uk/service/Contact_the_Department_for_Education)
- By telephoning the DfE Helpline on 0370 000 2288
- Or in writing to: Data Protection Officer, Department for Education (B2.28), 7 & 8 Wellington Place, Wellington Street, Leeds, LS1 4AW

If you are unhappy with how we have used your personal data, you can complain to the Information Commissioner's Office (ICO) at:

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. You can also call their helpline on 0303 123 1113 or visit <https://www.ico.org.uk>

Date last updated: 23 May 2023

# How the Office for Students (OfS) uses your personal data if you are a Higher Education (HE) student:

## OfS privacy statement

The Office for Students (OfS) needs to collect and process personal data about people, including students and staff at universities and colleges and individuals with whom we deal, to operate our daily business, exercise our responsibilities and duties of care as an employer, and to fulfil our statutory functions and duties.

The OfS is committed to protecting your personal information and being clear about what information we hold about you and how we use it.

## Who we are

The OfS is the regulator of the higher education sector in England and has certain statutory functions set out in the Higher Education and Research Act 2017.

## Why we hold personal information

We process personal information to enable us to fulfil our public tasks, including our responsibilities as the lead regulator for higher education in England. This function is directed by the Secretary of State and is in accordance with our legal obligations, including those described in the Higher Education and Research Act 2017.

We also have a role in monitoring the performance by higher education providers of their Prevent duty under the Counter-Terrorism and Security Act 2015.

Personal information is also used for administrative purposes, the management of our accounts, journalism and media, to promote and run events, consultations and surveys, to support and manage our staff, and to facilitate visitors to our buildings.

The services we provide are directed at learners aged 13 and over.

The OfS is the controller for the personal information we process, unless otherwise stated. As a data controller we determine the purposes and means of the processing of your personal data.

## Data Protection Officer's contact details

You can contact our Data Protection Officer by emailing [dp@officeforstudents.org.uk](mailto:dp@officeforstudents.org.uk) or via our postal address:

Data Protection Officer  
Office for Students  
Nicholson House  
Lime Kiln Close  
Stoke Gifford  
BRISTOL  
BS34 8SR

Please note: the email address may be monitored by other members of the OfS's data protection team. Therefore, please mark any correspondence 'for the attention of the Data Protection Officer'.

Further information can be found here: [OfS privacy - Office for Students](#)

## Requesting access to your personal data held by Northampton College and your data protection rights

Under data protection legislation, students have the right to request access to information about them that we hold. To make a request for your personal information contact the College Data Protection Officer:

Mr Julian Wood  
Northampton College  
Booth Lane  
Northampton  
NN3 3RF

Email: [dataprotection@northamptoncollege.ac.uk](mailto:dataprotection@northamptoncollege.ac.uk)  
Tel: 01604 734567

You will be asked to complete the proforma to assist the College with your request. You can ask for your data in either an electronic or paper-based format. We will respond to your request within one month of receiving your request.

You also have the right to:

- ask us for copies of your personal information
- ask us to rectify information that you think is inaccurate or incomplete
- ask us to erase your personal information, in certain circumstances
- ask us to restrict the processing of your information, in certain circumstances
- ask that we transfer the information you gave us to another organisation
- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. If, after contacting us with your concerns, you are still unhappy with the way we are collecting or using your personal data, you can contact the Information Commissioner's Office at:

[Information Commissioner's Office](#)  
Wycliffe House  
Water Lane  
Wimslow  
Cheshire  
SK9 5AF  
Helpline: 0303 123 1113

## How to change your details

You can change your personal details and ESFA contact details anytime by completing the Change of Details on-line form (via Moodle or the College website) or complete a paper version available from the MIS & Exams office (H2.07, Booth Lane) or for some aspects of data via your e-ILP.

If you wish the College to share your details with another organisation or person not listed on this privacy notice, you will need to complete an Authority to Divulge pro-forma which is available from the MIS & Exams office (H2.07, Booth Lane).

You can also email [enquiries@northamptoncollege.ac.uk](mailto:enquiries@northamptoncollege.ac.uk) giving us your full name, date of birth, address and details of the information that you would like to be changed. Your email must be sent from the email address we hold for you.

## Changing your mind about non-mandatory data collection

Whilst the majority of student information you provide to us is mandatory, the contact information when making an enquiry or attending an open event is voluntary. You can change contact options anytime by completing the Change of Details online form (via Moodle or the College website) or complete a paper version available from MIS & Exams office (H2.07, Booth Lane).

You can also email [enquiries@northamptoncollege.ac.uk](mailto:enquiries@northamptoncollege.ac.uk) giving us your full name, date of birth, address and details of the information that you would like to be changed. Your email must be sent from the email address we hold for you.

## Contact

If you would like to discuss anything in this privacy notice, please contact the College Data Protection Officer via [dataprotection@northamptoncollege.ac.uk](mailto:dataprotection@northamptoncollege.ac.uk).