

# Northampton College Privacy Notice (including terms and conditions)

## 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.

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).

### 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, and next of kin details)
- Sensitive Personal Data (such as 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- Study programme/course enrolment details including your in-learning status (e.g. enrolled, withdrawn), achievement outcomes (results) and destination information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)

### 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

## The lawful basis on which we use this information

We collect and use student information under the lawful basis of **Legal obligation** and/or **Contract** (Article 6).

The new 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 (which forms part of Article 9 of the legislation).

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

<b>Type of Special Category Data</b>	<b>Lawful Basis - Article 6</b>	<b>Condition for processing special category data - Article 9(2)</b>
Health (data in addition to funding body requirements)	<p><b>Legal Obligation/Contract</b></p> <p>b) The data processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract</p> <p>c) The data processing is necessary for compliance with a legal obligation to which the controller is subject</p> <p>d) The data processing is necessary in order to protect the vital interests of the data subject or of another natural person</p>	<p>2.1 explicit consent</p> <p>2.2 employment or social security/protection requirements</p> <p>2.3 protecting the vital interests of the student or another party</p> <p>2.6 the exercise or defence of a legal claim</p> <p>2.7 reasons of substantial public interest</p> <p>2.8 purposes of medical or health care</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
<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.

Type of Record	Minimum Retention Period
<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	
- Exam results	
- Attendance records	
- Additional notes	
- Progress reviews	
- Learning plan	
- At risk comments/flag	
- Additional Support meetings/strategies	
- Disciplinary details	
- SMART Targets	
<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.

Type of Record	Minimum Retention Period
Electronic and paper School Monitoring Meeting Records.	Current academic year plus 5 years
Electronic records of EV Reports.	Current academic year plus 5 years
Electronic and paper records of IQR reports.	Current academic year plus 5 years
<b>STUDENT SERVICES</b>	
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, should be 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 to be 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 shall be kept securely until at least the 25th birthday of any child or seven years in any other case.
	Records should then be securely disposed of and a record of disposal kept. Paper records should be 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)
- 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 (NCOP partnership)

## 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) formerly known as the Higher Education Funding Council for England (HEFCE) 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:

**ESFA Privacy Notice (2021 to 2022 Version 1 – Published May 2021)**

## How We Use Your Personal Information

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.

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 ILR learner data for 3 years for operational purposes and 66 years for 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. In these cases, it is part of our statutory duties and we do not need your consent.

Where sharing is not part of our statutory duties, you can give your consent to be contacted by other third parties by ticking any of the following boxes:

- |  |                                       |
|--|---------------------------------------|
| <input type="checkbox"/> About courses or learning opportunities | <input type="checkbox"/> By post      |
| <input type="checkbox"/> For surveys and research                | <input type="checkbox"/> By phone/SMS |
|  | <input type="checkbox"/> By e-mail    |

If you would like to update your preferences, please also complete the following and return this page to the MIS & Exams office, address below:

<b>Student ID</b>	
<b>Student Name</b>	

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:

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

[ MIS & Exams, Northampton College, Booth Lane, Northampton, NN3 3RF ]

# 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

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 Steve Rankine  
Northampton College  
Booth Lane  
Northampton  
NN3 3RF

Email: [steve.rankine@northamptoncollege.ac.uk](mailto:steve.rankine@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:

- 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
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

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. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## 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).

## 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, attending an open event or applying for a course 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).

## Contact

If you would like to discuss anything in this privacy notice, please contact the College Data Protection Officer, Steve Rankine.