

## Privacy Notice

### How the Department for Education 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 about:

- courses or learning opportunities, or  for surveys and research by:
- post
- phone
- e-mail

Please tick relevant boxes to give your consent.

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 ESFA Privacy Notice (<https://www.gov.uk/government/publications/esfa-privacy-notice>)

If you would like to get in touch with us, you can contact the DfE in the following ways:

- Using our online contact form at [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, Ministerial and Public Communications Division, Department for Education, Piccadilly Gate, Store Street, Manchester, M1 2WD

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: 13 May 2021 – V1

The information you supply is also used by the Learning Records Service (LRS). The LRS issues Unique Learner Numbers (ULN) and creates Personal Learning records across England, Wales and Northern Ireland, and is operated by the Education and Skills Funding Agency, an executive agency of the Department for Education (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>

## How the College uses your personal information

General principles on how we manage personal information:

- We will take care to collect only such information from you as we need to be able to fulfil our statutory duties, to manage your application, to effectively record, monitor and accredit your learning, and to help keep you safe.
- We will only share your information with organisations where we either have a legal duty to do so, or it is in the interest of your studies or the College's quality of provision. We will be clear to you about who these organisations are.
- We will maintain a high level of IT system security in order to keep your information protected and safe.
- We will ensure that our staff understand and maintain their responsibilities in protecting personal information.

We are the data controller of personal information about you. We are Sparsholt College (incorporating Andover College). Our address is Westley Lane, Sparsholt, Winchester, Hampshire SO21 2NF.

Our Data Protection Officer is Scott Hermiston. If you have any questions about this policy or the ways in which we use your personal information, please contact our Data Protection Officer by mail at the above address, by email at [data.protection@sparsholt.ac.uk](mailto:data.protection@sparsholt.ac.uk) or by telephone at 01962 673288.

This privacy notice has been prepared in accordance with the General Data Protection Regulation (EU) 2016/679 ("GDPR") and the Data Protection Act 2018.

Throughout this document, "Personal Information" refers to Personal and Sensitive information (special category). The two categories are separated where appropriate.

## ADMISSIONS/STUDENT ADMINISTRATION

What would you like to know about?

- [the information that you give us;](#)
- [The information that we hold on your Individual Learning Plan](#)
- [the uses made of your personal and sensitive information;](#)
- [the legal basis on which we collect and use your personal and sensitive information;](#)
- [how long we keep your personal and sensitive information;](#)
- [how we share your personal and sensitive information;](#)
- [how we transfer your personal and sensitive information outside Europe;](#)

- [how we monitor your use of the College's IT; and](#)
- [your rights over your personal and sensitive information.](#)

## The information that you give us

For administrative and business purposes and as part of your admission to the College we are either required from a legal basis or for the purposes of providing education to you once you are enrolled, to collect some or all of this personal and sensitive information about you during our application and enrolment process:

### **Personal - *shared***

Name, address, telephone number (home or mobile), email address, country of residence, date of birth, national insurance number, current or previous school employment status, household situation, employer details if you are required to provide this.

### **Personal – *not shared***

Telephone number (work), doctor's details, next of kin contact details, previous exam/test results, school reference, personal statement, and a personal photograph.

### **Sensitive Personal - *shared***

Ethnicity, learning difficulties and/or disabilities, medical/health information, special needs details.

*Items in this category we are very careful about maintaining privacy and ensuring data is only shared where there is a legal obligation to do so.*

### **Sensitive Personal – *not shared***

Religious beliefs and sexual orientation (both held solely for the purpose of statistically measuring inclusion), criminal convictions (collected for safeguarding purposes).

## The information that we hold on your Individual Learning Plan

During your time with us as a student we will record information on your Individual Learning Plan and you will have access to this. The types of information we record include conduct and behaviour, dates of attendance and punctuality, learning targets and progress, progress reports, work assessment data, additional learning support requirements if applicable, meetings that might have taken place.

## The uses made of your personal and sensitive information

We will use your information to manage and administer your education, assist with your wellbeing during your time at College and also where we are required to fulfil our legal obligation to share some parts of your personal information and sensitive personal information (as indicated above) with Statutory Bodies as indicated under How We Share your Personal Information.

This will include: to consider whether we can offer you a place at College, for dealing with your admission to College, putting together class lists, for generally communicating with you, for sending event invitations, for putting together reports and registers, to check entrance exam results, to allocate you to the correct classes for assessments, to make arrangements for exams or visits, to

consider whether special provision or assistance is required in class and/or for exams and visits, to monitor and compile reports on your academic progress, and, to contact you after you leave College in order to gain information about your destination after your studies.

## The legal basis on which we collect and use your personal and sensitive information

Generally, the information is collected and processed as part of our public interest task of providing education to you. Where that information is special category (sensitive) personal information (e.g. medical information) we will process it because there is a substantial public interest for us to do so (for example in order to keep you safe).

## How long we keep your personal and sensitive information

Most records are maintained for the statutory minimum of 7 years. Records relating to Apprenticeship, Adult Education and European Social Fund funded learners will be retained until 31 December 2030 in line with funding regulations. Records pertaining to safeguarding will be retained for the lifespan of the data subject in keeping with safeguarding law.

Records which have no audit standing will be deleted or destroyed in line with our retention schedule.

## How we share your personal and sensitive information

We may share the personal information that you give us or that we hold about you with the following organisations (or types of organisation) for the following purposes:

### **The Department for Education (including the Education and Skills Funding Agency, Ofsted and the Office for Students)**

All Further Education learners in England have some personal and sensitive details along with information about the courses they are following monitored by the Education and Skills Funding Agency (ESFA). The ESFA is the branch of the Department for Education with responsibility for post-16 education and training. We have a legal duty to provide the ESFA with the information they require on a monthly basis throughout the academic years in which learners study. For some adult and apprentice learners the ESFA further share this information with the European Social Fund as a condition of claiming subsidies for adult funded programmes. The ESFA also further share this information with Ofsted, the government body with responsibility for inspecting the quality of publicly funded education in England.

The College, under the terms of the DfE Privacy Notice detailed on page 1, is required if necessary to contact you after you have completed your learning to evaluate the effectiveness and impact of the training you have undertaken.

Higher Education students studying in Further Education colleges also have their personal details along with information about the courses they are following shared with the Education and Skills Funding Agency (ESFA), who pass this data on to the Office for Students (OfS), who have statutory responsibility for Higher Education in England, and the Higher Education Statistics Agency (HESA). All Higher Education providers have a legal requirement (under the Representation of the People (England and Wales) Regulations 2001, Section 23) to share personal information of their students with Electoral Registration Officers for the purpose of facilitating electoral registration.

From time to time, the UK government changes the way it organises education, and/or changes the names of the agencies which govern education in England. For this reason, the list of public education agencies that we will share your information with cannot be exhaustive, but we will only share your information with such agencies where there is a legal requirement for us to do so.

### **Awarding Organisations**

The College will share sufficient personal and sensitive information about students with those Awarding Organisations concerned with accreditation of the qualifications they are studying towards. The information shared will be limited to that required for registration and certification by the Awarding Organisation.

### **The Association of Colleges**

The College will share some information about its students and their progress with the Association of Colleges (AOC), a membership organisation of Further Education Colleges. The data shared with the AOC is solely for the purpose of comparison of quality measures such as recruitment, retention and achievement with other colleges, and the data used for these comparisons is anonymised.

### **Internal and External Auditors**

The College is legally obliged to undergo internal and external audits of its finances, and as learners generate funding and/or fees, learner data is subject to audit. As part of this process, your information may be shared with the College's auditors if your record is selected by them as part of their audit sample. Audit firms must adhere to a set of guidelines prohibiting them from using your information for anything other than confirming that the College is accurately and correctly claiming funding and charging fees for your programme of learning.

### **County Councils, Unitary Authorities, Secondary Schools and other Government funded organisations**

Local Authorities (county councils or unitary authorities) have a legal duty to monitor the destinations of school leavers. To enable this duty to be met, the College shares personal information about learners aged 16-18 with their previous schools, and those aged 16-24 with the local authority in which they live. The College also shares information about applicants for future years with their current school and the local authority in order to assist with this same duty.

Sensitive personal information will be shared with relevant County Council departments in the specific instance of education, health and care plans (EHCP).

If you are a pupil on our 14-16 programme, as a legal requirement we share with your school, information on your progress at College.

In keeping with our public interest task of providing education to you, the College may share some of your personal information with the NHS or their approved supplier, for example to be able to track testing samples for the protection of public health. This data would be supplied without reference to your individual or parental consent to be tested - if consent to test is denied, then your personal data will not be used.

### **Parents/Guardians**

As a matter of College policy, we share information about progress within a learner's programme of learning with the parents/guardians of learners during the academic years in which they turn 17, 18 or 19 years old.

## **Employers**

The College will communicate with and share information about progress within an apprenticeship with the employers of the apprentice. It will also communicate with and share information with employers about progress of a sponsored student. This will include information about attendance at College and submission of work towards their qualifications.

## **Associate Delivery Partners**

Learners who have their training delivered to them by an Associate Partner on behalf of the College will have their personal and sensitive data and details of their progress shared with the Associate Partner. The Associate Partner will not share this information with any third party without the express permission of both the College and the learner.

## **Transport Partners**

The names of those learners who come to College on Campus buses will be shared with the relevant bus company in order to confirm passenger identity and right to travel. Learners who purchase public transport services passes from the College will have their names supplied to the service providers to include in the printing of their passes.

## **Catering**

Learners who use the charging facility on their ID cards, learners who pre-purchase meal plans that are accessed through their ID cards, and learners receiving Free School Meals, have their credit balances managed by software which is accessed by catering staff at the tills. Basic personal details and the card balance are accessed when making a purchase.

## **Software Service Providers**

The College uses a number of software suppliers' hosted packages to help in administering learners' education, or to provide learning materials to learners to help in their studies. The College remains the Data Controller for personal information held by these software providers, and the security and confidentiality of this information is protected by formal Data Sharing Agreements.

## **Other External Organisations**

The College will not communicate or share your information with any other external bodies without first asking for your permission to do so.

## **How we transfer your personal and sensitive information outside Europe**

We do not store or transfer your personal data outside Europe.

## **How we monitor your use of the College's IT**

We keep an eye on how you use the College's equipment and computers and what websites you go on when you are browsing the internet at College. This is because we have legal obligations to protect you, and we also have a legitimate interest in making sure you are using our computer equipment correctly and that you are not looking at any inappropriate content. If you want to

browse the internet privately, you will need to use your own devices which are not linked to the College's network or internet connection.

## Your rights over your personal and sensitive information

You have a number of rights over your personal information, which are:

- the right to make a complaint to the Information Commissioner's Office (ICO) if you are unhappy about the way your personal data is being used – please refer to the ICO's website for further information about this (<https://ico.org.uk/>);
- the right to ask us what personal information about you we are holding and to have access to a copy of your personal information;
- the right to ask us to correct any errors in your personal information;
- the right, in certain circumstances such as where our use of your personal information is based on your consent and we have no other legal basis to use your personal information, to ask us to delete your personal information;
- the right, in certain circumstances such as where we no longer need your personal information, to request that we restrict the use that we are making of your personal information;
- the right, in certain circumstances, to ask us to review and explain our legitimate interests to you; and
- the right, where our use of your personal information is carried out for the purposes of an agreement with us and is carried out by automated means, to ask us to provide you with a copy of your personal information in a structured, commonly-used, machine-readable format.

These rights and some clarifications and explanations can be seen in our Data Protection Policy, available via our website [www.sparsholt.ac.uk](http://www.sparsholt.ac.uk).

*V14 updated 4/06/2021 (JB)*