



# City College Stratford

## Privacy Policy

Incorporating General Data Protection Regulation procedures

Version Jan 2022



## 1. AIMS OF THE POLICY

The aim of this policy is to establish how the information about prospective learners/learners/staff are stored, shared and used in accordance with the current legislations regarding data protection act or GDPR. This also covers the information obtained from the City College Stratford ([www.citycollegestratford.com](http://www.citycollegestratford.com)) website.

## 2. POLICY STATEMENT

The City College Stratford is committed to abide by the current UK legislations regarding Data Protection while storing, sharing and using information obtained from any source, including Marketing and Administrative processes. The information can only be shared with valid consent from the individual(s) about whom the information is. In cases of extraneous circumstances such as enquiries made by Law Enforcement agencies, UKBA etc but are not limited to, the information may be shared without consulting the individual(s) about whom the information is.

## 3. LEGAL FRAMEWORK

City College Stratford Privacy Policy is governed under the following relevant legislations for handling of information:

- General Data Protection Regulation (GDPR) 2018
- The Common Law Duty of Confidentiality

The legal framework establishes that no information about person can be processed unless under a lawful basis. The following 6 lawful basis under which personal information can be processed are:

1. **Consent:** the individual has given clear consent for you to process their personal data for a specific purpose.
2. **Contract:** the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
3. **Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations).
4. **Vital interests:** the processing is necessary to protect someone's life.
5. **Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
6. **Legitimate interests:** the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

City College Stratford, for the purpose of its work, identifies Legal obligation, Contract and Consent as the basis on which general and personal information about a person it may process.

City College Stratford is registered with **Information Commissioner's Office (ICO UK)**.

## 4. INFORMATION COLLECTION

In order to deliver its services, City College Stratford is required to collect a wide range of personal information, such as (this list is not exhaustive):

- Full name
- Date of Birth
- Full Address
- National Insurance Number
- Telephone / Mobile Numbers
- Email address
- Prior learning records
- Disabilities and health problems
- Immigration / Residency Status
- Employment history

- Benefit status
- Prior criminal record
- Contact details of Next of Kin
- Course title including course level
- Any other information required for Education & Skills Funding Agency and/ or Student Loans Company for funding purposes.

The information is collected via:

- Paper-based Information, Advice and Guidance process
- Paper-based administrative processes throughout the learning programme
- Web-based forms from prospective learners
- Reports from government agencies such as ESFA, SLC etc.

The information is collected for the following reasons:

- To enable learners / apprentices to access government funding for their learning (ESFA, EFA & SLC)
- To enable City College Stratford to plan and deliver learning programmes meeting individual needs
- To support safeguarding of learners and others
- For marketing and research.

Where information is collected such as using City College Stratford's Initial Data Capture form and Enrolment form, learners are asked to provide their consent while their information are stored at the college. Without their consent, the college does not store their information or enrol any learners for any courses. However, if any learners have any concern over their personal information how City College Stratford uses their information and/or if they do not like to use their information for marketing and research purpose, City College Stratford opts out their information considering their concerns.

## **5. DATA PROTECTION**

The information obtained from a prospective learner/ current learner/ member of staff through the administration process are regarded confidential and are not shared/sold with/to third party, excluding Awarding bodies, respective Funding Authorities, Law enforcement, UKBA and Government Officials. The information is used for the intended purposes only and City College Stratford may only contact the individual via the means agreed with the individual. City College Stratford considers the consent to be valid unless withdrawn by the individual. In case of a Data breach, City College Stratford, as the Safeguarding Officer, must record the breach with as much as detail and inform the Data Processor (ESFA / SLC / LRS) and the Information Commissioner's Office (ICO) within 72 hours of becoming aware of the said breach.

Records of 'Information, Advice and Guidance' (IAG) sessions for learners who are not registered with City College Stratford provisions are discarded after Three (3) calendar months. Learners who are enrolled for an externally accredited qualification are registered by the designated administrator with the respective Awarding body via the secure web-based procedure(s) as required by the Awarding body and the log generated is printed and provided to the Internal Quality Assurer (IQA) as evidence of registration/progression/completion.

In line with the City College Stratford's Examination Policy, examination results will only be made available to the respective candidates within Two (2) working days of the results being published by the Awarding body. The results documentation will be placed in the individual learner file and maintained very strictly.

### **5.1 Accessing own personal data**

Any learner can access information that are held in / by the provision about themselves only, provided that they have made a prior request to the Centre Manager/Centre Head in writing and his/her identification documents are verified on the day of access. Failure to produce an Identification Document will result in declination. When a request to access information is made, the Centre Manager/Centre Head is to respond within maximum one month and inform the learner which form of Identification Document (as retained in the file) s/he would need to bring with them and book an appointment at a time suitable for both parties. The Learner retains the right to not disclosing the reason(s) for access to own personal data. However, refusing the provision of information by a member of staff when the learner has produced adequate evidence, must be justified and approved by the Centre Manager/Centre Head.

Network/SVR1/PublicDrive/Office Docs/Policy/

### **5.2 Complaints & Appeals**

All complaints, reports and notifications brought to the attention of a Lead (Training, ELA, Quality Assurance) or Centre Manager/Centre Head will be held in the strictest confidence and will in no way undermine the complainant's position within the company. All members of staff are encouraged to report incidents of impropriety, keeping with good practice to ensure the company is not in infringement of any legal parameters, intentionally or otherwise.

### **5.3 Data retention**

City College Stratford maintains each learner's information up to six years following GDPR fully. The college maintains hardcopy and also softcopy of information where these are kept with high security.

### **5.4 Equal Opportunities**

This policy and the procedures outlined are subject to City College Stratford's **Equal Opportunities Policy**.

### **5.5 Information sharing**

City College Stratford is legally bound to share learners' personal information with Education & Skills Funding Agency (ESFA), Learning Records Services (LRS) and Student Loans Company (SLC). The information is received and shared through secure web portals by designated City College Stratford staff. The user details and passwords are strictly confidential and not shared with any other member of the staff.

## **6. WEB BASED DATA**

Any information collected via the City College Stratford website are also considered to be confidential and are utilised in accordance with this policy. In order to comply with data protection act, the College also update information including policies and procedures regularly.

## **7. MARKETING AND RESEARCH**

The information gathered through the Administrative and other processes may only be used for the intended purposes. Learners / Prospective learners and others may only be contacted through the 'opt-in' or recommended contact method for marketing and research purposes and only if there is an express, 'opt-in' consent available.

## **8. REVIEWING**

This policy and relevant data capture forms will be reviewed and updated by a senior member of staff, Head of Human Resource, Centre manager, Head of the centre and/or CEO once a year or at any time if required due to change of government legislations to ensure that, it meets its purposes correctly and adequately.