



# Privacy Notice for Students at Bolton College

## Notice about how we use your personal information

This privacy notice has been prepared in accordance with the General Data Protection Regulation (EU) 2016/679 ("GDPR") and explains how Bolton College collects, uses and protects personal data that we hold.

This notice applies to the following groups:

- Current or former students
- Those who have applied to study with us or have requested information relating to our courses or services

This Privacy Notice may be updated from time-to-time. The latest version is published on our website.

## What is personal data?

Personal data is information relating to an identified or identifiable living person. Identification can be by the information alone or in conjunction with other information available. From the 25<sup>th</sup> May 2018 the processing of personal data is governed by the EU General Data Protection Regulation (the "GDPR") 2016 and the UK Data Protection Bill 2018. Links to these documents are provided below:

<https://www.eugdpr.org/>

<https://services.parliament.uk/bills/2017-19/dataprotection.html>

## What personal data do we collect and for what purposes?

Depending on your relationship with the College we may collect a range of information including, but not limited to the following:

- Name, date of birth
- Contact information including, phone, email and postal addresses
- Educational information including assessment results, qualifications, predicted and actual grades, learning support needs, school references
- Employment information such as employment status and employment history
- Diversity data (e.g. sex, age, ethnicity, disability)
- Medical and health information
- Other protected characteristics under the Equality Act 2010 including sexual orientation, religious beliefs and gender reassignment

- Financial information i.e. bank details
- Information relating to contact preferences for marketing or surveys
- Individual achievements, attendance, behaviour, results and performance on courses/qualifications
- Previous criminal convictions where relevant to the course of study
- Information relating to disciplinaries
- Progression and destination after leaving
- Website usage data
- CCTV images on College property
- Photos or video media related to you, your studies or activities within College or for publication of marketing materials or identification purposes.
- Data to support biometric records
- Anonymised data for the purpose of trend analysis, forecasting and profiling

Collecting this data helps us provide you with a service which meets your needs and enables us to meet our statutory duties. Specifically, we may use data:

- to meet our legal and statutory duties and responsibilities
- to process enquiries, applications and enrolments
- to contact students or potential students in response to an enquiry or in relation to an existing or previous course of study
- to contact the parent/carer of an existing student (aged under 19 at start of programme) in relation to the student's studies, behaviour or for College events
- to provide student information to employers relating to applications for apprenticeships or other similar opportunities.
- to provide information to employers and students relating to work experience opportunities.
- to contact students or potential students about services, events, products, offers and other things provided by us which we think may be relevant to them
- to contact previous student's via e-mail, telephone or mail in the year following completion of their studies to ascertain their destination
- to contact student's and previous students via e-mail, telephone or mail for marketing or research purposes
- to keep our staff, students, visitors, property and premises safe.
- to be shared with other organisations for education, training, employment, legal, technical support and well-being related purposes, including for relevant research. (Microsoft/Google for emails/logins)
- to provide reference information requested by prospective employers or education establishments but only with your explicit consent.
- for our own internal records so that we can provide you with a high quality service
- to customise our services so they work better for our customers

At no time will we assume your permission to use information that you provide for anything other than the reasons stated here or to provide additional services which we would be reasonably be expected to do so. We will never sell your information on to any third parties

## How do we process your personal data?

We comply with our obligations under the GDPR and the UK Data Protection Bill by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.

We use organisational and technical methods to safeguard your data. The Data Protection policy provides more information.

We aim to provide you with access to your personal information. If that information is wrong, we strive to give you ways to update it quickly or to delete it – unless we have to keep that information for legitimate business or legal purposes.

## What is the legal basis for processing your personal data?

Generally, the information is processed as part of our public interest task of providing education to you.

Where that information is special category personal information (e.g. medical information) we will process it because there is a substantial public interest for us to do so.

Where you have previously studied at the College or commenced an application process with us before, then we will send you information about the courses we provide on the basis of our legitimate business interests. In doing so, we will comply with the requirements of the “soft opt in” and offer you an opportunity to refuse marketing when your details are first collected and in subsequent messages (by way of own unsubscribe).

Any other marketing we carry out will be on the basis of consent.

## How do we share your personal information?

We may share your personal information as follows:

- with appropriate staff members of Bolton College and to government bodies to enable us to fulfil our statutory responsibilities, such as the Education Skills Funding Agency, Ofsted, the Department for Education (DfE), Office for Students (OfS) and auditors or with local partners eg local authorities and the connexions Service. The ESFA Privacy Notice is provided in Appendix 1 and the OfS Privacy Notice is shown in Appendix 2.
- with other organisations that provide services to you, for example Microsoft for access to Office 365. In such cases, the personal data provided is only the minimum necessary to enable them to provide the service.
- where the College receives a request from an appropriate body we may share your personal data for law enforcement purposes, ie for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security.
- We may share your information with JCP (Job Centre Plus) or other organisations if you have been referred by them to attend Bolton College. Only minimum required information will be shared and we will take steps to ensure your data is transferred in a secure manner.

- information relating to education, welfare, behavior etc with parents/carers of students aged 16-18 when they start their programme of study.
- information relating to education, welfare, behavior etc with employers of students where the student is being supported by the employer through an apprenticeship, work experience or similar.
- With Bolton Council where you are enrolled on a course we deliver on their behalf to enable them to fulfil their statutory duties.
- Data relating to all young people, 16-18 year olds and 19-24 year olds with an EHCP may be shared with the relevant local authority to enable them to fulfil their statutory duties.
- Information may be shared with third parties if it is in connection with the service we are providing to you, for example with market research companies contracted to undertake work on our behalf to assess your satisfaction with our service. Information Sharing Agreements will be in place for such circumstances.
- We may also share your information with your previous school to inform them of your destination and similarly with the appropriate local authority and youth support organisations.

In all cases data shared will be reviewed to ensure only the minimum required is shared.

Where we require your consent to share or disclose your personal data, we will seek your consent.

## **How long do we keep your personal data?**

We will keep your personal data for as long as is necessary for the purpose for which we are processing it, unless we have a legitimate reason for keeping it, for example, any legal requirement to keep the data for a set time period.

Beyond that we may retain some information anonymised to ensure you cannot be identified in order to inform trend analysis and profiles. Where we do not need to continue to process your personal data, it will be securely destroyed.

Further details of this are provided in our Personal Data Retention Schedule.

## **How we transfer your personal information outside Europe.**

The College does not directly transfer your personal information outside Europe. However, we do supply your name and college email address to Microsoft and Google to provide services to you. That information may be transferred outside Europe by those companies.

Both these organisations comply with Privacy Shield. For further information on Privacy Shield visit:

**<https://www.privacyshield.gov/welcome>**

## Monitoring your use of the College's Computers

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 and your personal data

Unless subject to an exemption under the data processing regulations, you have the following rights with respect to your personal data:

- 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, 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.

You can access the personal information that we hold about you by submitting a Subject Access Request (SAR) to the College. This request must be in writing and clearly specify the information you require. A SAR form is available on the College website to assist you with submitting a request.

If you would like to make a request regarding the processing of your personal data please contact the Data Protection Officer via the details provided below. However, restrictions do apply depending on the lawful processing reason and statutory requirements. Therefore, it is not always possible for requests to delete information to be fulfilled and the Data Protection Officer can provide you with more information on request.

Further information can be found in our Data Protection Policy (pdf).

## Updating your Personal Data

The College has an obligation to ensure that the data we keep is kept as accurate as possible. We offer multiple ways for students to keep us updated on changes to information such as name, address and telephone number, personal email etc:

- via the college SiD system (changes are then emailed from the system to the Learner Records Team for processing)
- via change of details form (available from the Enrolment Office or Reception)

Please note that changes to names require evidence of legal name.

## Copies of College policies

Copies of our related policies are available from our website.

## Complaints

We try to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading or inappropriate.

## Contact Us

If you have any concerns or questions please email the College's Data Protection Officer: **dpo@boltoncc.ac.uk**

Or write to:

Data Protection Officer  
Bolton College  
Deane Road  
Bolton  
BL3 5BG

Attachments:

Appendix 1 – 2018-19 ESFA Privacy Notice  
Appendix 2 – OfS Privacy Notice  
Appendix 3 – 2019-20 ESFA Privacy Notice

Version 2 – from 23<sup>rd</sup> April 2019

## ESFA Privacy Notice 2018 to 2019

Version 1 - February 2018

### 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). It is to inform learners how their personal information will be used by the DfE, the ESFA (an executive agency of the DfE) and any successor bodies to these organisations. For the purposes of relevant data protection legislation, the DfE is the data controller for personal data processed by the ESFA.

Your personal information is used by the DfE to exercise its functions and to meet its statutory responsibilities, including under the Apprenticeships, Skills, Children and Learning Act 2009 and to create and maintain a unique learner number (ULN) and a personal learning record (PLR). Your information will be securely destroyed after it is no longer required for these purposes.

Your information may be shared with third parties for education, training, employment and well-being related purposes, including for research. This will only take place where the law allows it and the sharing is in compliance with data protection legislation.

The English European Social Fund (ESF) Managing Authority (or agents acting on its behalf) may contact you in order for them to carry out research and evaluation to inform the effectiveness of training.

You can agree to be contacted for other purposes by ticking any of the following boxes:

- ☐ About courses or learning opportunities.
- ☐ For surveys and research.
  
- ☐ By post.
- ☐ By phone.
- ☐ By e-mail.

Further information about use of and access to your personal data, 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>

## OfS registration process privacy notice

The General Data Protection Regulation (GDPR) requires that clear and transparent information is provided to individuals about the use(s) that will be made of their personal information:

“The principle of transparency requires that any information and communication relating to the processing of those personal data be easily accessible and easy to understand, and that clear and plain language be used.” (GDPR Recital 39)

To fulfil this obligation, we are employing a layered approach to privacy notices where a short form overview is provided as well as a full detailed privacy notice.

## Short form summary privacy notice

Here is a short summary of how the personal information you submit for the purpose of registering with the OfS will be held and used:

- Personal information will be used for the purpose of the registration process
- The Data Controller of the personal information you submit will be the Office for Students (OfS).
- The legal basis for processing your personal information is to comply with the OfS's legal obligations and in the performance of a public task.
- It will be stored on secure servers within the UK or the EEA.
- It will not be routinely shared with any other organisations except where described in the full privacy notice.
- Personal information will be subject to the retention schedule set out in the full privacy notice.
- You have certain rights in relation to your personal information, set out at: <https://www.officeforstudents.org.uk/contact/how-to-request-information-from-us/how-to-make-a-request-to-access-your-personal-information/>

You may contact our Data Protection Officer (dp@officeforstudents.org.uk) with any queries or concerns you have about the use of your personal information.

The OfS full privacy notice can be found at:

<https://www.officeforstudents.org.uk/media/1303/ofs-reg-privacy-notice.pdf>



## ESFA Privacy Notice 2019 to 2020

Version 1 – April 2019

### 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). It is to inform learners how their personal information will be used by the DfE, the ESFA (an executive agency of the DfE) and any successor bodies to these organisations.

For the purposes of relevant data protection legislation, the DfE is the data controller for personal data processed by the ESFA. Your personal information is used by the DfE to exercise its functions and to meet its statutory responsibilities, including under the Apprenticeships, Skills, Children and Learning Act 2009 and to create and maintain a unique learner number (ULN) and a personal learning record (PLR). Your information will be securely destroyed after it is no longer required for these purposes.

Your information may be used for education, training, employment and well-being related purposes, including for research. The DfE and the English European Social Fund (ESF) Managing Authority (or agents acting on their behalf) may contact you in order for them to carry out research and evaluation to inform the effectiveness of training.

Your information may also be shared with other third parties for the above purposes, but only where the law allows it and the sharing is in compliance with data protection legislation.

You can agree to be contacted by other third parties by ticking any of the following boxes:

- ☐ About courses or learning opportunities.
- ☐ For surveys and research.
  
- ☐ By post.
- ☐ By phone.
- ☐ By e-mail.

Further information about use of and access to your personal data, 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>

# ILR Privacy Notice 2024 to 2025 version 1: January 2024

## 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: 31 Jan 2024