



**Heart of Worcestershire College Privacy Notice**

**Prospective Students – Course Applicants and Enquiries**

Revision Date: September 2021

**Who is the Data controller?**

Heart of Worcestershire College

Address: Peakman Campus, Peakman Street, Redditch, Worcestershire B98 8DW

Web: [www.howcollege.ac.uk](http://www.howcollege.ac.uk)

Email: [dataprotection@howcollege.ac.uk](mailto:dataprotection@howcollege.ac.uk)

**What personal information does the organisation collect and what lawful reasons do we have to collect and process it?**

Type of data	What lawful reason do we have to collect and process it?
Name, date of birth, gender, residency, Details of previous educational history, qualifications, and employment. Details of learning difficulties or disabilities, or medical conditions which could impact on learning or on the quality of service we provide. References from previous educational institutions or employers	We need this information to fulfil our public task of providing potential students with the best information and guidance possible, and to match them with the most appropriate course offered by the college. We also use this data to carry out our obligations to monitor and improve the way we carry out tasks as an FE College.
Contact details – address, phone numbers, emails	These details are needed in order to administer the enquiry/application process, part of our public task as an FE College. We will also contact you with information about open days and other information which will be directly related to your enquiry or application. You will be given the opportunity to opt out of this at any stage. We will not send you any unrelated marketing information.
Record notes of interviews, any advice and guidance given and offers made, and your responses to offers	These details are needed in order to administer the enquiry/application process to enable us to provide the best possible advice and guidance in order to carry out our public task as an FE College.
Criminal convictions which are relevant to safeguarding or the safety of others. All criminal convictions, and DBS checks for all students on courses such as Early Years or Social Work, where required by law in order to meet course requirements	We will require applicants to disclose criminal convictions where we deem this to be in the vital interests of the student themselves or others. Advice will be provided as to whether criminal convictions need to be collected and processed. Where they are not deemed to be required for this reason, but we feel that the college can support the learner, we will request consent to collect and process details. For certain courses with safeguarding implications, convictions must be disclosed and DBS checks will be carried out.
Contact details and names of parents/carers	For students aged under 19 on 1 <sup>st</sup> September at the start of the academic year of the course applied for, or those aged 18-25 with an Educational Health Care Plan, we strongly encourage applicants to provide details of parents/carers and to give us consent to share data with parents, including details of interviews and open days, and offers made, so they can support applicants.

## **Why do we collect personal information?**

We collect enquiry/application data to:

Administer your course enquiry/application.

Send you information and details of events such as open days, where they are related to your enquiry/application and we believe that they will be helpful. You can opt out of these if they are not related directly to assisting you with your enquiry/application.

Provide you with the most appropriate advice and guidance, and to match you up with the course that best suits your needs

Assess and improve the quality of our services

Comply with the law in terms of data sharing and the Equality Act

## **Special Category Data**

Under GDPR, certain types of data are termed “special category”. These include ethnicity, medical conditions and disabilities. In addition, we need the data to carry out our obligations under social protection laws (GDPR article 9b) and where it is necessary for reasons of substantial public interest (GDPR article 9g). Where these reasons do not apply, we would seek your consent to collect and process the information

## **Criminal Convictions**

HoW College requires that students and applicants notify the college if they have unspent criminal convictions. If the college deems them to be relevant to the safety of students and staff, it will record and process the details. This is lawful under article 6c (Legal Obligation) and 6e (Public Task), and, as additionally required for processing criminal conviction data, under the DPA 2018 Schedule 1, Part 2, section 6(a), where the college has a statutory duty under the Children Act 2004, and 6(b) for reasons of substantial public interest.

## **Where do we obtain your personal data?**

Most of the information above is collected directly from yourself via an application or enquiry. However some information such as previous qualifications or special needs may be collected from other organisations such as the DfE, the LRS, the Local Education Authority, or your previous school.

## **How and where do we store data?**

Data will be stored in a range of different places, including the student information management systems, on paper, stored secure places, or on electronic documents within a secure network.

## **Why does the organisation need to process personal data?**

HoW College needs to process data manage your enquiry/application and to help us to give advice and guidance, and find the best course for your needs

Where the organisation processes other special categories of personal data, such as information about ethnic origin, disability or health, this is done for the purposes of equal opportunities monitoring and monitor our service provision to improve our services to specific groups. We also use the data so we can personalise the provision to each learner to provide him or her with best possible advice and guidance and to help us to provide accessibility, for example, for suitable interview

location. Any information that has been supplied under the lawful basis of “consent”, can be withdrawn at any time, by contacting the data protection officer.

The college will use the college will use the contact information in order to administer your enquiry/application, for example to notify you of interview arrangements. We will also

### **Who has access to data?**

Your information may be shared internally, including with any HoW staff who need the data to provide services to the learner. This will include special categories of data where appropriate.

Where HoW College engages non-statutory third parties to process personal data on its behalf, we require them to do so on the basis of written instructions, under a duty of confidentiality and they are obliged to implement appropriate technical and organisational measures to ensure the security of data in keeping with GDPR.

We share applicant data with previous schools in order for them to track which students have applied for further education, and we share with educational institutions and employers where you request us to do so, in order for them to provide references that we need in order to process your application effectively.

### **Do we process data outside the EEA?**

HoW College will not store your data in countries outside the European Economic Area. Data stored outside the UK but in the EEA is currently offered the same protection as data stored in the UK, under BREXIT arrangements. HoWC will monitor this situation in case of changes in the future. In rare cases where a support team from outside the EEA needs access to data to rectify a software fault, we have strict agreements which involve anonymisation of data, and deletion of any personal data as soon as the problem is rectified.

### **How does the organisation protect data?**

The organisation takes the security of your data seriously. The organisation has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties. The Data Protection policy is available to view on our website, or can be obtained in a paper version by contacting our reception.

### **For how long does the organisation keep data?**

Where an enquirer or applicant does not enrol at the college, we will delete all the personal data within 12 months of the start of the academic year of the course. If the enquirer or applicant subsequently enrolls, we will keep the data as outlined in the privacy notice for enrolled students, available on the website. In this case, interview and reference data will still be deleted within 12 months of the start of the course.

### **What rights do you have?**

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require the organisation to change incorrect or incomplete data;

- require the organisation to delete or stop processing your data, for example where the data is no longer necessary for the stated purposes of processing
- object to the processing of your data where the organisation is relying on its legitimate interests as the legal ground for processing. The college will only use “legitimate interests” as grounds for processing where the processing is not in relation to our core purpose of education.

Prevent processing for the process of direct marketing, although we will continue to contact where necessary in order to provide you learning –for example to notify you about a change of interview date.

If you would like to exercise any of these rights, please contact the data protection officer at [dataprotection@howcollege.ac.uk](mailto:dataprotection@howcollege.ac.uk) or contact the college reception

### **Who can I complain to?**

If you believe that HoW College has not complied with your data protection rights, please contact the Data Protection Officer in the first instance. If you are unhappy with the response, you have the right to contact the Information Commissioner by going to their website ([ico.org.uk](http://ico.org.uk)) or by ringing 0303 123 1113

### **What if I do not provide personal data?**

Failure to provide data required to meet lawful obligations (except where consent is required) will result in us not being able to enrol you as a student. Failure to provide other information (except that requiring consent), for example learning difficulty information, may result in the college being unable to provide the standard of education and training that we wish to provide.

### **Does HoW College use automated decision-making?**

No decisions are not based solely on automated decision-making.

### **Data Sharing Agreements**

The college will share data, where necessary, with government agencies such UCAS, and with previous schools or the LEA.

The college will share data with the LEA as required by law, for students aged 16-18 on 1<sup>st</sup> September at the start of the academic year of the course. It will also share information with the appropriate council and other statutory other agencies when required for safeguarding reasons. It will provide local district councils with information regarding enrolled courses when requested, lawful in the public interest. For students aged 16-18, it will provide information about enrolled courses to their previous schools to enable them to track destinations in the public interest.

Where special category data is shared with organisations contracted by the college to provide support to the student, the data will only be shared where it is used solely for that purpose. This is lawful in the public interest (GDPR article 9g).

## **Appendix A**

### **Glossary of Acronyms**

Dfe – Department for Education

ESFA – Education and Skills Funding Agency

HEFCE – Higher Education Funding Council

OfS – Office for Students

HESA – Higher Education Statistical Agency

LRS – Learner Registration Service

LEA – Local Education Authority

GDPR – General Data Processing Regulations