



Valley College

PRIVACY NOTICE: LEARNERS

Privacy Notice – General Data Protection Regulation & Data Protection Act 2018

Valley College ('the College') is required by law to collect and process personal data relating to all of those learners who attend the College. The College is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

This privacy notice provides you with information about how we collect and process personal data of our learners in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

Who are we?

Valley College is part of The Sea View Trust – a multi-academy trust incorporating a number of different schools and academies. This privacy notice has been issued on behalf of The Sea View Trust. When we refer to “we”, “us”, “our” or “the College” within this privacy notice, we are referring to Valley College which is part of The Sea View Trust. The Sea View Trust is the ‘data controller’ for the purposes of data protection law.

The Sea View Trust has appointed a Data Protection Officer who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the DPO using the details set out below.

What data do we collect?

Personal data is held by the College about our learners. This includes:

- Personal information such as their name, date of birth, unique pupil number and address.

- Characteristics such as their ethnicity, language, nationality, country of birth and free meal eligibility.
- Attendance information such as the number of sessions they have attended, the number of absences and the reasons for those absences.
- Assessment information such as their current progress, their predicted progress and where appropriate data relating to any assessments, tests or exams they have undertaken.
- Relevant medical information including any conditions or allergies learners may have, the need for epi-pens/medication, emergency contact and doctor's details.
- Special educational needs information. This includes information about any particular needs that a learner has, any funding that is received specifically for learners, statements of individual need and health care plans.
- Behavioural information, which may include information about the learner's general classroom behaviour including any awards gained, together fixed-term or permanent exclusions they have received.
- Pastoral and safeguarding information, including notes on any home visits undertaken.
- Photographs.
- CCTV images.

How is personal data collected?

The College may collect this information in a variety of ways. Whilst the majority of the learner information you provide to us is required by law, some of it is provided to us on a voluntary basis. In order to comply with the GDPR, when requesting information, we will inform you whether you are required to provide certain learner information to us or if you have a choice in this.

Why do we collect and use this data?

Collecting and using this information allows the College to:

- Support learner learning.
- Monitor and report on learner progress, enabling suitable interventions to be put in place where required.
- Provide appropriate pastoral care and ensure learners have access to appropriate support.
- Assess the quality of our services.
- To keep learners and staff safe.
- Comply with the law regarding data sharing.

The lawful basis on which we use this information

We collect and use learner information under Article 6 of the GDPR as follows:

- Consent – the individual has given clear consent for the College to process their personal data for a specific purpose.
- Legal obligation – the collection and use of this information is necessary for the College to comply with the law.
- Vital interests – the collection and use of this information is necessary to safeguard our learners. For example, personal information can be passed on to a hospital should a learner become ill at College.
- Public task – the processing of such data is necessary for the College to carry out its official functions.
- Legitimate interests – eg NHS Nurses, therapists.

Lawful basis for more sensitive information

"Special categories" of particularly sensitive personal information, such as information about learner health, disability, racial or ethnic origin or sexual orientation, require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such information. We may collect and use more sensitive learner information under Article 9 of the GDPR as follows:

- In limited circumstances, with the individual's explicit consent for the College to process their special category information.
- Where it is needed in the public interest, such as for equal opportunities monitoring, safeguarding of children/individuals at risk of harm, or for the prevention or detection of crime.

Who is personal information shared with?

We routinely share learner information with:

- Colleges that the learner attends after leaving us
- Our Local Authority
- The DfE
- The Sea View Trust
- Our catering provider
- Our Speech and Language provider
- Third parties for the purpose of providing a public task

Why do we share learner information?

We do not share information about our learners with anyone without consent unless the law and our policies allow us to do so. Where the College engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are

under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

How do we protect data?

The College takes the security of learner data seriously. The College has internal policies and controls in place to try to ensure that learner data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties.

For how long do we keep data?

We will only retain learner personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in The Sea View Trust's Record Management Policy.

Your rights

As a data subject, learners have a number of rights under data protection law. This includes the ability to:

- access and obtain a copy of your data on request;
- require the College to change incorrect or incomplete data;
- require the College to delete or stop processing personal data, for example where the data is no longer necessary for the purposes of processing; and
- object to the processing of personal data where the College is relying on its legitimate interests as the legal ground for processing.

Where the processing of learner data is based upon explicit consent, you have the right to withdraw this consent at any time. This will not affect any personal data that has been processed prior to withdrawing consent.

Complaints

We take any complaints we receive about the collection and use of personal information very seriously. We would encourage you to bring it to our attention if you think that our collection or use of information is unfair, misleading or inappropriate. You can make a complaint at any time by contacting us (see contact details section below).

If you think our collection or use of personal information is unfair, misleading or inappropriate or if you have concerns about the security of your personal information, you also have the right to make a complaint to the Information Commissioner's Office.

You can contact the Information Commissioner's Office at the following address:
Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire,
SK9 5AF or visiting www.ico.org.uk/concerns

Contact us

If you would like to discuss anything contained within the privacy notice please contact the Data Protection Officer via e-mail – dataprotectionofficer@forbessolicitors.co.uk.

	Name/Initials:	Date:
Written By:	NW	Nov 17
Reviewed:	DPO	Sept 20