



Middlesbrough College

Student Privacy Statement

Why do we collect personal information?

Middlesbrough College collects and processes your personal data to effectively manage your learning, facilitate, support and deliver your education and to meet its statutory obligations as a Further Education college. Middlesbrough College is committed to being transparent about how it collects and uses data and protects your privacy.

What personal information does the organisation collect?

The lawful basis for holding personal data about you is:

- Article 6c (Legal Obligation), and
- Article 6e (Public Task)

Personal data is held in order to meet our legal obligations with the Education and Skills Funding Agency (ESFA) and the Office for Students (OFS).

They are also necessary in order for us to carry out our public task to provide education and training. We are required by the ESFA to retain this data until at least 31st December 2030:

- Details about yourself including your name, date of birth and gender and photo identification.
- Contact details – including address, telephone number and email address.
- Details of your previous qualifications, employment and educational history.
- Information about your nationality and residency, and previous address if applicable.
- Information about medical or health conditions, including whether or not you have a learning disability or difficulty.
- Ethnicity for the purposes of monitoring equality of opportunity.
- Sensitive information such as health information, sexual orientation and gender re-assignment, faith or belief and pregnancy or maternity for the purposes of monitoring equality of opportunity.
- Information about your family or personal circumstances.
- Household information (this is collected only for ESFA and are not used by Middlesbrough College)

- Employment / Unemployment status and length.
- State Benefits for the purpose of fee remission.
- Financial information for the purpose of administering financial assistance, refunds and student loans.
- Employer name and address for Apprentices.
- Enrolment attendance, assessment and progress monitoring data.

Other data we collect:

- Criminal convictions in order to protect students and staff GDPR Article 6d (Vital Interest) and also in order to carry out our duty to support those with a conviction GDPR Article 6e (Public Task)
- Emergency contacts - GDPR Article 6d (Vital Interests). For those over age 18 at the start of the academic year, the information is optional and will be provided for legitimate interests.
- Parent/carer details for those under 18 at the start of the academic year under GDPR Article 6e (Public Task) in order to fulfil our duty to support the education and learning as fully as possible.
- Information from schools, Youth Offending teams, social services, police and other education providers if required for the purposes of safeguarding students and staff in line with 'Keeping Children Safe in Education 2018'.
- Use of college services such as the Learning and Resource Centre (library) and Wellbeing Centre to monitor how well they are used.
- Provision of support and welfare services such as counselling, careers advice and nursing / medical.
- CCTV – We record images of students, staff and visitors in the college on CCTV for crime prevention and detection, safety, security and safeguarding purposes.

How is this collected?

Most of the information above is collected directly from yourself via an application, enrolment or other college form. However some information such as previous qualifications, or special needs, may be collected from other organisations such as the Department for Education (DfE), the Local Education Authority, your previous school, Youth Offending Team, Social Services, Police, Awarding Bodies and other education providers.

Where do we store data?

Data will be stored on:

- the central college systems
- paper in secure offices or on site storage
- electronic documents within a secure network

How do we use your information?

- To provide you with the best possible opportunities to succeed.
- Process your application, arrange and provide support at interview, and inform decisions about suitability of course.
- Process your enrolment.
- Assess your eligibility for fee remission, financial support and student loans.
- Set targets and monitor your progress
- Process and monitor your attendance on your course.
- Ensure your health, safety and well-being.
- Register you with the appropriate awarding body.
- Organise professional placements.
- Arrange examinations, exam access arrangements and college certification.
- Administer and monitor your use of facilities such as the LRC and Wellbeing Centre, Middlesbrough College events and enrichment activity.
- Administration of complaints.
- Enlist participation in student surveys and student feedback reporting.
- Fulfil statutory reporting requirements for government organisations such as the Department for Education and the Office for Students.
- Monitor our responsibilities under equality and diversity legislation.
- Assess and provide learning and learner support and services to students such as Learning Support Assistance, counselling and medical care.
- Monitor compliance with college regulations and policies.
- College reporting/ performance monitoring.
- Administration of the college CCTV system.
- Monitor your outcome / progression.
- Contact you for marketing purposes if you have provided consent.
- Use your image for marketing purposes if you have provided your consent.

Who has access to your data?

Not all student information is shared. Information will only be shared where necessary.

- Middlesbrough College staff who need the data to provide services to you.
- Education and Skills Funding Agency (ESFA)
- Office for Students (OFS)
- Learner Records Service (LRS)
- Local Authorities
- Special Educational Needs Assessment Team (SENAT) if applicable
- Youth Offending Team (YOT) if applicable
- Police, Social Services, Multi Agency Safeguarding Hub (MASH) if applicable
- Awarding Bodies, Joint Council for Qualifications (JCQ)
- Validating Universities
- Your previous school
- Parents and guardians (if under 18)
- Universities and Colleges Admissions Service (UCAS) if applicable

- Employers and providers of external work placements if applicable
- Employers and providers of Apprenticeship work placements
- Employers sponsoring tuition fees
- Apprentice employers
- Employers and educational providers who have requested references (with your consent)
- Debt collection agencies for outstanding fees if applicable
- Aramark (for students in receipt of free college meals)
- Auditors
- Third party software providers –Office 365, Advanced, Smart Assessor

WHY IS IT SHARED? WHAT ARE EACH OF THESE?

Where Middlesbrough 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. The third parties are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data. Contract and written instruction.

The organisation shares your data with third parties where there is a legal obligation, including Education Funding Agency, Office for Students, Learner Records Service (LRS), Local Authorities for learners aged 16-18, Police, Social Services and other education providers.

ESFA Data Sharing Agreement:

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 Middlesbrough College learners their personal information will be used by the Department of Education (DfE). It is to inform Middlesbrough College learners 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.

Further information about use of and access to your personal data, and details of organisations with whom we regularly share data, are available at:

<https://www.gov.uk/government/publications/esfa-privacy-notice>

Office for Students Data Sharing Agreement:

<https://www.officeforstudents.org.uk/privacy/>

Learner Record Service Data Sharing Agreement:

The information you supply will be used by the Skills Funding Agency, an executive agency of the Department for Education (DfE), to issue you with a Unique Learner Number (ULN), and to create your Personal Learning Record (PLR). For more information about how your information is processed and shared refer to the Extended Privacy Notice available on Gov.UK

<https://www.gov.uk/government/publications/lrs-privacy-notice>

Do we process data outside the European Economic Area?

Middlesbrough College may transfer your information outside of the EEA only in the instance of website or social media. Your consent will be obtained for this

How does the College protect data?

The organisation takes the security of your data seriously. The organisation has internal policies and controls in place 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 Data Protection Officer or reception.

How long does the organisation keep data?

All data collected and processed on behalf of the ESFA and OFS will be held for as long as we are legally required to do so, currently until at least 2030. Other data will be held as long as is necessary to fulfil our duty as a college in line with the Retention Schedule in the College Data Protection Policy. CCTV footage is retained for 30 days.

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 and information on what the College does with this data;
- Request the College to change incorrect or incomplete data;
- Request the College 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. If you would like to exercise any of these rights, please contact the Data Protection Officer with details of the data you require, feel is incorrect or would like deleted dpo@mbro.ac.uk or contact the college reception;
- Request that your data is transferred to another organisation or to you in commonly used electronic format.

Who can I complain to?

If you believe that Middlesbrough College has not complied with your data protection rights, you can complain to the Data Protection Officer – dpo@mbro.ac.uk 01642 333386.

If you are not happy with how your information is processed and used you can contact the Information Commissioner's Office for further investigation: <https://ico.org.uk/> 0303 123 1113.

What if I do not provide personal data?

If you do not provide the data required to meet legal obligations, you will not be able to enrol on a course.

If you do not provide other information requested for example learning difficulty information, we may be unable to provide the standard of service we would like to provide, to help you succeed.

Does Middlesbrough College use automated decision-making?

We do not make decisions solely based on automated decision-making.

Changes to our Privacy Policy

Our Privacy Policy is regularly reviewed and you will be notified of any changes.