



Student Privacy Notice

Issue 1.01 - 11/06/2018

This privacy notice explains how Portsmouth College (“we”, “our”, “us”) collects, uses and shares your personal information, and your rights in relation to the personal information that we hold. It concerns our processing of personal information of past, present and prospective students of Portsmouth College (“you”, “your”).

Portsmouth College is the data controller of personal information about you. Our address is Portsmouth College, Tangier Road, Portsmouth PO3 6PZ.

Our Data Protection Officer is Neil McMonagle. If you have any questions about this policy or the ways in which we will use your personal information, please contact our Data Protection Officer by email (dpo@tpc.ac.uk) or telephone (023 9266 7521).

This privacy notice has been prepared in accordance with the General Data Protection Regulation 2016/679 (“**GDPR**”) and the Data Protection Act 2018. It sets out:

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HOW WE COLLECT YOUR PERSONAL INFORMATION

We collect your personal information in a number of different ways, including:

- a range of online and paper forms (such as your application and enrolment forms);
- other information you provide (such as exam certificates);
- information received from your previous school(s) or college(s);
- information received from your local authority (such as whether you were in receipt of free school meals, or have an Education, Health and Care Plan);
- information received from the Department for Education or their agencies (such as your Unique Learner Number and confirmation of your previous qualifications);
- attendance registers completed by our staff;
- when you communicate with us by telephone, email, via our website, social media channels or other promotional materials (such as a course enquiry);
- ongoing assessment of your work, progress and behaviour by our staff;
- information received from awarding bodies (such as exam results);

Whilst the majority of information you provide is mandatory, some of it is provided on a voluntary basis, or is dependent on your age. We will tell you at the point of collection if you have a choice in providing information.

THE CATEGORIES OF PERSONAL INFORMATION THAT WE PROCESS

We may collect and process personal information about you in the following categories:

- personal identifiers (such as name, admission number, national insurance number);
- contact details (such as address, email address and telephone numbers);
- characteristics (such as gender, ethnicity, nationality, residency status and free meals eligibility);
- information relating to your education and employment history (such as the schools you have attended, previous qualifications achieved and for work based learning courses, details of your job);
- information about your personal or family circumstances (such as where you are applying for a bursary or other form of financial support);
- photograph (for a College ID card);
- safeguarding information (such as convictions, court orders and external agency involvement);
- special educational needs (such as learning difficulties or an Education, Health and Care Plan);
- medical needs (such as doctors information, health problems, allergies, medication and dietary requirements);
- assessment and attainment records (such as the courses you are studying, 1-1 discussions, assignment marks, predicted grades and final grades);
- attendance (such as number of classes attended, number of absences and reasons for absence);

- behavioural information (such as discipline notes and records of suspension or exclusion);
- destination information (such as the University that you progress to after College);

This list is not exhaustive; to see the current list of categories of information we process please see the current student privacy notice on our website.

THE USES MADE OF YOUR PERSONAL INFORMATION

We collect and process your personal information for the following purposes:

- a) to promote our courses to you before you submit an application;
- b) to help you to apply for and enrol at College;
- c) to provide high quality teaching, learning and assessment;
- d) to monitor and report on student progress and attainment;
- e) to provide appropriate pastoral care and support;
- f) to assess the quality of our services;
- g) to keep children safe;
- h) to meet the statutory duties placed upon us;
- i) to help keep you informed about college services after you leave College;
- j) to operate an Alumni network of former students;

THE LEGAL BASIS ON WHICH WE PROCESS YOUR PERSONAL INFORMATION

For uses (b) (c) (d) (e) (f) and (g) we process your personal information in accordance with the legal basis of **public task** (that of us providing education to you).

For use (h) we process your personal information in accordance with the legal basis of **legal obligation**.

For use (i) we process your personal information in accordance with the legal basis of our **legitimate interests**. In doing so, we will offer you the opportunity to opt-out when your information is first collected for this use as well as in any subsequent messages.

For uses (a) and (j) we process your personal information in accordance with the legal basis of **consent**. You will always have the opportunity to withdraw your consent at any time.

For uses (b) (c) (d) (e) (f) (g) and (h) where that information is special category personal information (e.g. ethnicity or medical information), we will process it because there is either a **substantial public interest** for us to do so or it is necessary for the purposes of carrying out our **obligations** in the field of social protection law (such as the Equality Act and Public Sector Equality Duty).

For uses (a) (i) and (j) we **do not** process any form of special category personal information.

HOW LONG WE KEEP YOUR PERSONAL INFORMATION

We receive government funding for your education and as such your personal information is treated as financial information which may be required for audit purposes.

As such, we will keep your personal information for 7 academic years after you leave **unless** you are an apprentice or aged 19 or over on 31st August in your last year as a student, in which case we are required to keep your personal information until 31st December 2030.

After this time, we will continue to store a subset of your personal information electronically to enable us to provide you with an academic reference or transcript of results. If you do not want us to do this, you can request that all of your personal information be removed from our systems. **PLEASE NOTE: if you make this request we will no longer be able to provide you with any form of reference or confirmation of the qualifications you achieved at Portsmouth College.**

HOW WE SHARE YOUR PERSONAL INFORMATION

If you are aged under 19 at the beginning of the academic year (on 31st August), or are in receipt of an Education, Health and Care Plan [EHCP] and aged under 25 at the beginning of the academic year (on 31st August), we will regularly share information about you with your parents / carers. If there are circumstances which mean you do not want us to share information with your parents / carers, please discuss this with a member of our Wellbeing Team in Room 15.

We will regularly share student information with the following organisations. In all cases, your personal information will be transferred via a secure file transfer system and will then be stored within the receiving organisations systems.

Organisation / Type	Reason for Sharing
Education and Skills Funding Agency (ESFA), an executive agency of the Department for Education (DfE)	<p>The ESFA provide funding to Colleges for all post 16 education (including apprenticeships).</p> <p>In order to access this funding, we are required to submit an Individualised Learning Record to the ESFA which will contain much of your personal information, which the DfE will use to exercise its functions and meet its statutory responsibilities.</p> <p>You can read the ESFA Privacy Notice in Appendix 1.</p>
Association of Colleges (AoC)	<p>Portsmouth College is a member of the AoC, which exists to promote and support the interests of Colleges. We share aspects of your personal information with the AoC so that we can understand how we compare with</p>

	other Colleges, but we remove all information that can identify you other than your admission number and postcode.
Awarding Bodies (also known as Exam Boards)	For all courses which lead to a formal qualification, we need to send your personal information to the relevant Awarding Body in order to register you, for them to provide and mark exam papers, and provide you with a certificate.
Our Local Authority (LA) - Portsmouth City Council (PCC)	If you are aged 19 or under at the beginning of the academic year (or aged up to 25 if you are a Looked After Child or have a Learning Difficulty or Disability), we will share your personal information with Portsmouth City Council in order to satisfy the statutory duties placed upon both PCC and the College under the Education and Skills Act 2008 and to support our common goals of keeping young people safe, while delivering the best possible educational outcomes.
Partner Training Providers	In some cases we may use partners to deliver some aspects of your education. In such cases, we may need to share aspects of your personal information with them. We will always make it clear when you enrol if this is the case (for example, if you enrol on a hairdressing or barbering course, you will be told that this is being delivered by HAHA Training Limited on our behalf).

We may also share your personal information with third parties who provide services to the College (*these organisations are referred to as Data Processors*):

Organisation / Type	Reason for Sharing
Alps	Alps provide analysis of exam results to schools and colleges across the UK and in particular focus on the progress made between the end of Key Stage 4 (school leavers) and Key Stage 5 (A level or equivalent qualifications).
Destination survey providers	We may ask a third party organisation to contact you after your course has finished to find out what you are doing after College (e.g. at University or in employment).
IT service providers	We use a wide range of cloud IT services to support our

	teaching, learning and assessment activities (e.g. Showbie, SmartAssessor and Turnitin)
Electronic communication service providers	In order to communicate with you by email, text message etc. we need to share some of your personal information (e.g. email address or mobile telephone number) with a relevant service provider.
Google	Email, cloud storage and cloud computing services.

HOW WE TRANSFER YOUR PERSONAL INFORMATION OUTSIDE EUROPE

Some of the third party organisations who provide services to the College are based outside Europe and in these cases your personal information will be transferred outside the EU to their hosting facilities and those of their sub-processors.

In all such cases the College either:

- i. has data protection contracts in place with these organisations confirming that processing of personal information will be in accordance with European Data Protection legislation; or
- ii. in the case of US based organisations, is satisfied that the organisation processes personal information in accordance with European Data Protection legislation through their membership of the EU-U.S. Privacy Shield programme.

AUTOMATED DECISIONS WE TAKE ABOUT YOU

We do not make automated decisions using your personal information.

YOUR RIGHTS OVER YOUR PERSONAL INFORMATION

You have a number of rights over your personal information, which are:

- 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 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, in certain circumstances, to ask us to review and explain our legitimate interests to you; and
- 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.

CHANGES TO THIS PRIVACY NOTICE

We will keep this privacy notice under regular review and will update it from time to time to make sure it remains up-to-date and accurate.

The current version of this notice will be available on our website. We will take reasonable steps to notify you of changes, for example messages via your tutor.

APPENDIX 1 - EDUCATION AND SKILLS FUNDING AGENCY PRIVACY NOTICE

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 providing the relevant consent on your enrolment form.

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>

CHANGE LOG

Issue	Date	Changes made
1	24/05/2018	<ul style="list-style-type: none"><li data-bbox="496 389 708 421">● Initial release
1.01	TBC	<ul style="list-style-type: none"><li data-bbox="496 456 1337 560">● Reason for sharing with Portsmouth City Council expanded to provide additional explanation and clarify the age groups for which this personal information is shared