

# Privacy Notice

## **Document Summary**

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## Privacy notice for current, former and prospective students

### 1: Introduction

Here at The City College, we are committed to respecting and protecting your privacy and personal information. 'Personal information' means any information which relates to or identifies you as an individual.

The City College (TCC) is a trading name of Inter-Ed UK Ltd. Inter-Ed UK Ltd is a data controller in terms of the Data Protection Act 1998 and the General Data Protection Regulations (GDPR) which became effective on the 24<sup>th</sup> May 2016 and was enforceable from the 25<sup>th</sup> May 2018. GDPR replaced the previous Data Protection Act (DPA) to provide clarity on how people's data is managed and make the processes clearer and more transparent.

Inter-Ed UK Ltd is registered with the Information Commissioners Office (ICO) with the registration number Z2115272.

TCC is a college of Higher Education based in the UK that delivers a range of programmes to UK and EU students. This privacy notice explains how TCC collects, uses, and shares your personal data and your rights in relation to your personal data that TCC holds. This privacy notice concerns TCC's processing of personal data for its current, former and prospective students.

### 2: How does The City College collect your information?

The City College collects information in a number of ways:

- When a prospective student applies or registers to study at TCC, data is collected to allow the College to administer their studies. This includes an application form, or if an applicant applies through an agent, they may share information with TCC.
- Information may be requested for TCC to communicate with individuals effectively.
- During the course of a student's studies, they may provide information to the administration department.
- Information is requested by TCC for Data Collection and Statistics Agency, also known as the Higher Education Statistics Agency (HESA). This information is a mandatory requirement for all students to complete for government agencies to compile national statistics.

### **3: What type of information does The City College collect?**

TCC may collect the following types of personal data about you:

- Contact information (including emergency contact details)
- Information relating to education and employment history.
- Proof of address
- Information relating to the assessment of a student's work for their student record.
- Sensitive personal data or special category data, including information required by the Data Collection and Statistics Agency, also known as the Higher Education Statistics Agency (HESA) – such as ethnicity, gender identity, religion or belief, sexual orientation or disability.

### **4: How does the Data Protection Act affect how The City College uses personal data?**

TCC uses personal information for a range of contractual, statutory or public interest purposes, including:

- Delivering and administering student education – including work experience with external organisations and confirming any academic achievements.
- Administering the financial aspect between students, TCC and any funders, including the Student Loans Company.
- Delivering facilities such as libraries, careers and IT.
- Providing student support services.
- Carrying out legal duties, providing information to others, such as local councils, Transport for London or the Student Loans Company.
- To enable participation at events.
- To communicate effectively.
- To operate security, including CCTV and ensure governance, disciplinary, complaint, audit and quality assurance processes and arrangements.
- To support the training of staff and students, as well as medical, safety, welfare and religious requirements as appropriate.
- To compile statistics and conduct research for internal and statutory reporting purposes.
- To fulfil and monitor TCC's responsibilities under equalities, immigration and public safety legislation.

- To provide activities within TCC's business, including developing and maintaining a relationship with former students and employers.
- To enable TCC to contact others in the event of an emergency. TCC will not share information with any third party beyond the legitimate purposes referred to above. If consent is required for any specific use of personal information, this will be collected at the appropriate time, and the individual has the right to withdraw consent at any time.
- To provide statistics to government agencies in order to compile national statistics, via the Data Collection and Statistics Agency, also known as the Higher Education Statistics Agency (HESA).

## 5: What is the legal basis for processing your information?

The legal basis for processing your data is necessary under the General Data Protection Regulations which are as follows:

- Article 6 (1)(b): the performance of our contractual obligations with you (e.g. to manage your student experience and welfare while studying)
- Article 6 (1)(c): compliance with legal obligations (e.g. providing your information to Higher Education Statistics Agency)
- Article 6 (1)(d): the purpose of protecting the vital interest of yourself or another (e.g. in a medical emergency)
- Article 6 (1)(f): the pursuit of the legitimate interests of the college or an external organisation (e.g. contact with former students or to enable your access to external services such as discounted travel from Transport for London) unless there is a good reason to protect your personal data which overrides those legitimate interests
- Article 9(2)(j): processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject [NB. Article 9(2)(j) relates specifically to the sensitive personal data or special category data that is collected and processed – see section 3 above].

The City College does not share your information with any third party beyond the legitimate purposes referred to in this section. If we require your consent for any specific use of your personal information, we will collect it at the appropriate time and you can withdraw this at any time.

The Information Commissioner's Office (ICO) oversees the Data Protection Act. The City College is registered with the ICO and must annually renew this notification. The Data Protection Act regulates how the College can process personal information and sets out 8 principles that must be followed.

### **The 8 Data Protection Principles:**

The Data Protection Principles outline best practice with regards to processing Personal Data and must be complied with. The principles are:

1. Personal data shall be processed fairly and lawfully.
2. Personal data shall be obtained only for one or more specified purposes and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary.
6. Personal data shall be processed in accordance with the rights of data subjects under the Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country outside the European Economic Area unless that country ensures an adequate level of protection.

### **In addition:**

- All College Employees must comply with these principles.
- College Employees must not release or disclose Personal Data either within the College to Employees not authorised to access the relevant Personal Data or outside the College.
- All College Employees must take all necessary precautions to ensure there is no unauthorised access to Personal Data by unauthorised College Employees or by anyone outside of the College.

## 6: With whom might The City College share your information?

Where necessary, TCC might share relevant items of your personal data with those outside the institution as set out below:

- The Data Collection and Statistics Agency, also known as the Higher Education Statistics Agency (see HESA's statement about the uses made by them of your personal information published at: <https://www.hesa.ac.uk/about/regulation/data-protection/notices>)
- Your funders and/ or sponsors (e.g. the Student Loans Company - this does not include third parties who may be paying for your studies but with whom no formal contract exists)
- Awarding Bodies that validate the qualifications studied, including External Examiners, Standards Verifiers, Academic Management Reviewers, and Test Inspectors
- Professional bodies (e.g. Health and Care Professions Council or the Nursing and Midwifery Council) for the purposes of confirming your qualifications and the accreditation of your course
- Work experience providers or other educational partners involved where this is necessary for the purposes of your study
- Relevant Government Departments (e.g. Department for Education, Home Office, Foreign and Commonwealth Office, Department of Health)
- Relevant executive agencies or non-departmental public bodies (e.g. UK Visas and Immigration, HM Revenue and Customs, the Health and Safety Executive)
- Relevant Higher Education bodies (e.g. The Office for Students (OfS), the Office of the Independent Adjudicator (OIS), the Quality Assurance Agency (QAA), and the National Student Survey)
- Potential employers or providers of education whom you have approached for the purposes of confirming your qualifications or providing a reference
- Local authorities, (e.g. when validating your eligibility for Council Tax reduction)
- Transport for London for the purpose of validating your eligibility for discounted travel costs
- UK Agencies with duties relating to the prevention and detection of crime, apprehension and prosecution of offenders, collection of a tax or duty, or safeguarding national security. This may include, for example, Benefit or Tax Inspectors, the Police, or UK Visas and Immigration (UKVI), as necessary, and with consideration of your rights and freedoms
- TCC also employs the services of various suppliers and agents as data processors. In each case your information will only be shared with these third parties in accordance with the data protection principles.

## **7: Data retention**

TCC retains personal information where there is an ongoing legitimate business need to do so (for example, to provide a service or to comply with applicable legal, tax or accounting requirements). Once there is no ongoing legitimate business need to process personal information, this will be either deleted or anonymised by TCC.

Personal records are generally kept for a period of six years before being deleted or anonymised. However, some identifiable records, such as core information/records about when a student studied at TCC, or their qualification, justifiably need to be retained for the long-term for 'active' purposes.

## **8: Recording Lectures and Online Teaching**

In addition to storing personal information, TCC sometimes records lectures which can be viewed on demand. These are stored securely and made available for flexible learning, which has obvious benefits for students.

In order to secure the rights of students, staff, and any external parties, whose work, participation, and content may appear, Data Protection Law is applicable in any case where a recording is made of any identifiable living lecturer, student, or other individual. Processing this personal data must be done in line with both the Data Protection Act 2018 and the General Data Protection Regulation.

If materials are created by lecturers, who are employees working for TCC, then TCC will own copyright and no copyright permission will be required to include these works created in a recording, which are later used for students. If a lecturer is recording material that they feel may be sensitive, controversial, or confidential, then they make use 'academic judgement' to determine it is inappropriate to record and halt, or pause, the recording.

Data protection law will apply to all identifiable individuals, including students and lecturers. All those partaking in a recording should be aware it is being recorded, who will have access to it and what to do if they wish to opt-out. The consent of performers is needed in order to record, copy, or make copies available. This is given during initial induction when media consent is obtained from students.

## 9: Your rights in relation to the data The City College holds about you

Individuals have rights to the personal data held by TCC as set out in the GDPR. These rights include:

- The right to access personal data pertaining to the individual, to be provided by TCC within one calendar month. This is known as a Subject Access Request and includes; a description of data held, the recipients of data about an individual, a copy of data stored about an individual.
- The right to rectification and erasure. An individual has the right to correct any inaccurate personal data held by TCC. Once information TCC has collected is no longer necessary for the purpose for which it was collected and processed, there is sometimes the right to have it erased.
- Rights to restriction of processing. Individuals may have the right to restrict the processing of personal data or object to the processing of data. Individuals may wish to withdraw consent for the processing of their personal data or otherwise restrict or object to the processing of personal data. This is not possible for mandatory data collection purposes, such as that collected for the Data Collection and Statistics Agency, also known as the Higher Education Statistics Agency, although there is provision to say 'prefer not to answer' for personal questions while completing the form.
- Rights to data portability. Individuals have the right to receive the personal data held by them by TCC in a structured, commonly used and machine-readable format and have the right to transmit that data to another controller without hindrance from TCC.

## 10: Will this privacy notice be changed?

TCC reserves the right to amend this privacy notice from time-to-time if deemed necessary, for example to remain compliant with UK law. If this happens, TCC will post notice of the change on its website, and you will be deemed to have accepted such changes.

TCC encourages you to periodically review this notice to be informed of how the institution is protecting your privacy.



## **11: Who is The City College's Data Protection Officer?**

TCC's Data Protection Officer (DPO) is the Director of Student Records. Should you have any concerns about your personal data held by TCC, please contact the DPO by email using [friaz@citycollege.ac.uk](mailto:friaz@citycollege.ac.uk)