



Privacy Notice - How we use Students' Information

The categories of information that we collect, hold and share on you as a student at our College include:

- Personal information (such as name, student address, telephone numbers, previous school, parental contacts)
- Characteristics (such as ethnicity, language, nationality, country of birth, free school meal eligibility)
- Assessment information, such as qualifications on entry
- SEN and medical information if this has been disclosed to us
- Information obtained for Safeguarding purposes
- Assessment information, such as qualifications on entry, and actual and predicted grades during time at College
- Behavioural information and comments from teachers and tutors on progress
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Biometric information to operate our cashless catering system (consent is obtained)

When you are enrolling for post 16 qualifications, the Learning Records Service will provide us with a your unique learner number (ULN) and may provide with us with details about the your learning or qualifications.

Why we collect and use this information

We use your data:

- to assess your suitability for a programme of study at Wyke Sixth Form College
- to assess if we are able to provide you with appropriate support, care and guidance
- to ensure we meet all statutory requirements of SEND, safeguarding and equality & diversity
- to provide appropriate pastoral care
- to assess the quality of our services and outcomes
- to comply with the law regarding data sharing
- to ensure that we meet our statutory funding requirements

The lawful basis on which we use this information

We collect and use student information under Article 6 (1). of the the General Data Protection Regulation 2018 (GDPR):

(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;

- *(this relates to data used only for direct marketing, and the use of photographic images for marketing purposes only)*

(c) processing is necessary for compliance with a legal obligation to which the controller is subject;

(d) where processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

We also collect and use student information which is defined as a special category of personal data under Article 9 (2). of the the GDPR 2018, such as biometric and ethnicity data. To follow best practice, we also define other sensitive data as a special category, for example SEN data, financial support (bursary) information and whether a young person is looked after.

(a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;

- *Please note that for students under 18 we use parental consent for biometric data in accordance with the Protection of Freedoms Act 2012*

(g) processing is necessary for reasons of substantial public interest, on the basis of 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;

The right to data portability

Data that we have collected under the lawful basis of consent is subject to the right of data portability. This allows you to obtain data that we hold on you and to reuse it for your own purposes. You are free to either store the data for personal use or to transmit it to another data controller. As this only applies to photos and other data used for marketing purposes, we will ensure that these are available to you in a structured, commonly used and machine-readable format.

Collecting student information

Whilst the majority of student information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain student information to us or if you have a choice in this.

Storing student data

Retention of records is based on the principle that your personal data will not normally be kept for longer than is broadly necessary.

Once you are enrolled, we hold your data for six years following withdrawal from the College in hard copy and electronic format, at which point it will be destroyed, or anonymised, and we will no longer be able to access this even if it is requested.

If you receive funding from the European Social Fund (ESF) programme, we are required to keep your data until 31 December 2030 under current rules.

Who we share student information with

We routinely share your information with:

- the Department for Education (DfE) and Education and Skills Funding Agency (ESFA)

- local authorities
- educational providers that students' attend before and after leaving us
- Parent / Guardian contacts who have been provided as part of the enrolment
- Exam boards and the Joint Council of Qualifications (JCQ)
- Data Processors who enable the College to provide services, such as Janet Text, Parent Pay, Nationwide Retail Systems (NRS), East Yorkshire Motor Services (EYMS), Alps, Alis, QDP, CPOMs. Wyke College keep a full register of all data processors.

Sharing student information

We do not share information about our students with anyone without consent unless the law and our policies allow us to do so.

Otherwise, before sharing information with a third party, we will either obtain your consent or establish that the sharing is necessary (which includes ensuring that the data shared is kept to a minimum), fair and otherwise within the law.

We share students' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins educational funding and educational attainment policy and monitoring.

Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education, for example; via the Individualised Learner Record (ILR) go to <https://www.gov.uk/education/further-education-financial-management-and-data-collection>

Youth support services - Students aged 16+

We will also share certain information about students aged 16+ with our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- post-16 education and training providers
- youth support services
- careers advisers

For more information about services for young people, please visit our local authority website.

Requesting access to your personal data

Under data protection legislation, parents and students have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, please email subjectaccess@wyke.ac.uk

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means

- in certain circumstances to obtain and reuse your personal data for your own purposes across different services (data portability). This relates to data which we process using your consent
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Contact

If you would like to discuss anything in this privacy notice, please contact:

William Jackson, Data Protection Officer 01482 346347 dpo@wyke.ac.uk

We will continually review and update this privacy notice to reflect changes in our practices and, when appropriate, in response to feedback from the public, as well as to take into account changes in the law.