

London South East Colleges Privacy Policy May 2018



Notice about how we use your personal information

Contents

1. Introduction
2. Document purpose
3. Data controller and processors
4. The categories of personal data we hold
5. Why we use this data
6. Our lawful basis for using this data
7. Collecting this information
8. How we store this data
9. Data sharing
10. Department for Education
11. Youth support services
12. Transferring data internationally
13. Photographs and media
14. CCTV
15. Your rights
16. Complaints
17. Contact details

1. Introduction

- 1.1 Under data protection law, individuals have a right to be informed about how the London South East Colleges (LSEC) uses any personal data that is held about them. We, London South East Colleges, comply with this right by providing this Privacy Notices to individuals where we are processing their personal data.

2. Document purpose

- 2.1 The purpose of this Privacy Notice is to explain how we, the London South East Colleges (LSEC) and our London South East Colleges (LSEC) Schools, collect, store and use personal data about your child/ward.

3. Data controller and processors

- 3.1 London South East Colleges (LSEC) is the Data Controller for the purposes of data protection law and therefore will determine the purposes for which personal data is processed (the 'why' and the 'how').

Authorised 3rd parties, e.g. DfE, Awarding bodies, etc. process and 'use' data on behalf of (under the supervision/control) the London South East Colleges (LSEC) and are therefore Data Processors.

- 3.2 The postal address for London South East Colleges (LSEC) is

Rookery Lane
Bromley BR2 8HE

- 3.3 LSEC's Data Protection Officer is Jennifer Pharo and her contact details are at Section 17

- 3.4 London South East Colleges (LSEC) and its various campuses will ensure that your personal data is processed fairly and lawfully, is accurate, is kept secure and is retained for no longer than is necessary.

4. The categories of personal data we hold

- 4.1 We process data about the students who apply, enrol and attend all our courses and provision.

Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Personal information, including name, unique student number, address and contact details of parents/carers.
- Characteristics, such as ethnicity, language, nationality, country of birth and religion.
- Attendance information, such as sessions attended, number of absences and absence reasons.
- Information from social services, such as safeguarding information or care status.
- Test results and assessments – internal and external.
- Special educational needs information and free school meal eligibility.

- Any relevant medical conditions, including physical and mental health or any disabilities a student may have.
- Benefits, Immigration and home office information related to your eligibility to receive funding and participate in learning.
- Details of any behaviour issues or exclusion information.
- Details of any support received, including care packages, plans and support providers.
- Destinations of where you intend to progress or move on to once you have left LSEC.
- Other, including Photographs, CCTV images captured in London South East Colleges (LSEC) Sites.

5. Why we use this data

5.1 We use this data to:

- Support student learning.
- Protect student welfare.
- Monitor and report on student progress.
- Provide appropriate pastoral care.
- Assess the quality of our services.
- Administer admissions waiting lists.
- Carry out education related research.
- Prevent and detect crime.
- Provide references for employment.

6. Our lawful basis for using this data

6.1 We will only collect and use your personal data when the law allows us to.

Most commonly, we will process it where:

- We need to comply with a legal obligation.
- We need to perform an official task in the public interest (i.e. in order to provide you with an education).

6.2 Less commonly we may also use your personal data where:

- We have obtained consent to use it in a certain way.
- We need to protect the individual's health interests (or someone else's interest).

6.3 Where we have obtained consent to use your data, this consent can be withdrawn at any time.

We will make this clear when we ask for consent and explain how consent can be withdrawn.

6.4 Some of the reasons listed above for collecting and using your child/ward's personal data overlap, and there may be several grounds which justify our use of this data.

7. Collecting this information

- 7.1 While the majority of information we collect about you is mandatory, there is some information that can be provided voluntarily. Whenever we seek to collect information from you, we will make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.
- 7.2 We may also receive information from previous schools, the Local Authority(s) and/or the Department for Education (DfE). For students enrolling post 14 years of age, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about your learning qualification.

8. How we store this data

- 8.1 We keep personal information about you while you are attending o London South East College (LSEC).

We will also keep it beyond your attendance at one of our London South East Colleges (LSEC) Schools as this is necessary in order to comply with our legal obligations as a public institute receiving public funding.

- 8.2 We have a Records Retention Policy, which sets out how long we must keep information about you. You can request a copy of the by emailing GDPR@lsec.ac.uk if you want to understand the timelines in more detail.

9. Data sharing

- 9.1 We do not share personal information about you with any third party without consent unless the law and our policies allow us to do so.
- 9.2 Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about you with:
- The Local Authority - to meet our legal obligations to share certain information with it, such as concerns about student's safety and exclusions.
 - The Department for Education (a government department) - to meet our legal obligations as part of data collections such as the ILR funding submission (more detail below).
 - Your family or representatives - in case of emergencies such as a health matter.
 - Follow on schools - which a student attends after leaving their current Academy in the public interest of delivering education.
 - Youth Support Services - as it has legal responsibilities regarding the education or training of 13-19-year-olds.
 - Educators and examining bodies - necessary for the performance of our education function.
 - Our regulator, Ofsted - to enable it to evaluate the education we provide to your child/ward, which is in the public interest.
 - Suppliers and service providers - to enable them to provide the service we have contracted them for.

- Health and social welfare organisations / third parties - to enable us to comply with our duty of care and statutory safeguarding duties for your child/ward's wellbeing, including:
 - Therapists, clinical psychologists.
 - Academy medical staff / nurse.
 - School counsellors.
 - CAMHS (Child and Adolescent Mental Health Service).
 - Social care.
 - Educational Welfare Officer (EWO).
 - Police forces, courts, tribunals - to uphold law and order.

10. Department for Education

- 10.1 We are required to provide information about you to the Department for Education (a government department) as part of data collections, such as our monthly funding and data submission.
- 10.2 Some of this information is then stored and managed by the Department for Education and provides evidence on how colleges are funded and performing. This, in turn, supports research. The database is held electronically so it can easily be turned into statistics. The information it holds is collected securely from all college and providers, local authorities, exam boards and others.
- 10.3 The Department for Education may share information from the database with other organisations which promote education or wellbeing in England. These organisations must agree to strict terms and conditions about how they will use your data.
- 10.4 You can find more information about this on the Department for Education's webpage on how it collects and shares research data. <https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>
- 10.5 You can also contact the Department for Education online via <https://www.gov.uk/contact-dfe> if you have any questions about the database.

11. Youth support services – post 16 education

- 11.1 We are legally required to pass on certain information about you if you are aged between 16-18 or 19-24 with special educational needs, to the local authority or youth support services provider in your area, as it has legal responsibilities regarding your education or training.
- 11.2 This information enables it to provide Youth Support Services, post-16 education and training services, and careers advice.

12. Transferring data internationally

- 12.1 Where we share data with an organisation that is based outside the European Economic Area, we will do so in accordance with data protection law.
- 12.2 This would only happen if you are under the age of 18 and have a parent or guardian who lives abroad. If this happens we will be very careful to make sure that it is safe to transfer any student information.

13. Photographs and media

13.1 As part of our college activities, we may take photographs and allow external organisations to take photographs or to film within our London South East Colleges (LSEC) sites in line with our Photograph and Media Policy. You will be made aware when this is happening and the context in which the photograph will be used.

13.2 LSEC will take photographs for its own use. Usually these will be unnamed and will generally be for internal Academy use, but may also include photographs for publication, such as:

- Photographs included in an LSEC prospectus.
- Photographs to show as slides at an event.
- Photographs to be used on display boards.
- Photographs posted on LSEC official web and media sites such as Twitter and Facebook sites.

Such sites can be accessed by the public and will therefore require close monitoring by LSEC staff to ensure they are appropriate.

13.3 Named photographs will be used for internal use where there is a clear lawful basis for doing so e.g. for identification purposes such as a student, staff or visitor security pass, safeguarding requirements and as part of exclusion behaviour data.

13.4 For all other purposes, if LSEC wants to use named photographs then it will obtain specific consent.

14. CCTV

14.1 London South East Colleges (LSEC) operate CCTV on all our premises. This is considered necessary to protect staff and student's safety and London South East Colleges (LSEC) property.

15. Your rights

15.1 individuals have a right to make a Subject Access Request to gain access to the personal information that we hold about them.

15.2 If you make a Subject Access Request, and if we do hold information about you or your child, we will:

- Give you a description of it.
- Tell you why we are holding and processing it, and how long we will keep it for.
- Explain where we got it from, if not from you or your child.
- Tell you who it has been, or will be, shared with.
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this.
- Give you a copy of the information in an intelligible form
- Provide the information to you within one month of being made aware of the Subject Access Request.

15.3 If you want to make a request please contact complete the appropriate for on our website.

- 15.4 Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:
- Object to the use of personal data if it would cause, or is causing, damage or distress.
 - Prevent it being used to send direct marketing.
 - Object to decisions being taken by automated means (by a computer or machine, rather than by a person).
 - In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing.
- 15.7 To exercise any of these rights, please contact London South East Colleges (LSEC) Data Protection Officer at GDPR@lsec.ac.uk

16. Complaints

- 16.1 We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.
- 16.2 To make a complaint please contact our Data Protection Officer.
- 16.3 Alternatively, you can make a complaint to the Information Commissioner's Office in one of the following ways:
- Report a concern online at <https://ico.org.uk/concerns>.
 - Call 0303 123 1113
 - Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

17. Contact details

- 17.1 If you have any questions, concerns or would like more information about anything mentioned in this Privacy Notice, please contact London South East Colleges (LSEC)'s Data Protection Officer, Jennifer Pharo at GDPR@lsec.ac.uk