

WIGAN & LEIGH COLLEGE

Privacy Notice - Student

Last updated: May 2018

Version: 1

Document owner: Dave Harrison, Data Protection Officer

Contents

1. [What is this document and why should you read it?](#)
2. [Wigan & Leigh College's data protection responsibilities](#)
3. [What types of personal data do we collect and where do we get it from](#)
4. [What do we do with your personal data, and why?](#)
5. [Special category personal data \(including criminal data\)](#)
6. [Who do we share your personal data with, and why?](#)
7. [Where in the world is your personal data transferred to?](#)
8. [How do we keep your personal data secure?](#)
9. [How long do we keep your personal data for?](#)
10. [What are your rights in relation to your personal data and how can you exercise them?](#)
11. [Updates to this notice](#)
12. [Where can you find out more?](#)
13. [Schedule 1 – Categories of Personal Data](#)
14. [Schedule 2 – Purposes of processing personal data](#)
15. [Schedule 3 – Purposes of processing special category personal data](#)
16. [Schedule 4 – Your rights in relation to personal data](#)

1. **What is this document and why should you read it?**

- 1.1 This privacy notice explains how and why Wigan & Leigh College including each of its operating entities (also referred to as **Wigan & Leigh College**", "we", "our" and "us") uses personal data about our students, trainees, applicants and enquirers (referred to as "you").
- 1.2 You should read this notice, so that you know what we are doing with your personal data. Please also read any other privacy notices that we give you, that might apply to our use of your personal data in specific circumstances in the future.
- 1.3 This notice does not form part of any contract to provide services.

2. **Wigan & Leigh College's data protection responsibilities**

- 2.1 "**Personal data**" is any information that relates to an identifiable natural person. Your name, address, contact details, qualification and education history are all examples of your personal data, if they identify you.
- 2.2 The term "**process**" means any activity relating to personal data, including, by way of example, collection, storage, use, consultation and transmission.
- 2.3 Wigan & Leigh College is a "**controller**"¹ of your personal data. This is a legal term – it means that we make decisions about how and why we process your personal data and, because of this, we are responsible for making sure it is used in accordance with data protection laws.
- 2.4 You also have responsibilities whenever you process personal data in connection with your status as a student of Wigan & Leigh College; these are outlined in the [Wigan & Leigh College's Data Protection Policy](#).

3. **What types of personal data do we collect and where do we get it from?**

- 3.1 We collect many different types of personal data about you for lots of reasons. We cannot administer our relationship with you without your personal data. Where we don't need your personal data, we will make this clear, for instance we will explain if any data fields in our application or enrolment processes are optional and can be left blank.
- 3.2 Further details of the personal data we collect, where we get it from and what we do with it are set out in **Schedule 1**.
- 3.3 You provide us with personal data directly when you attend marketing events, enquire about our services, when you complete our application and enrolment forms or correspond with us and in the course of your education with us. We also create some personal data ourselves and obtain some personal data from other sources. We obtain it from other people and organisations, including some public sources, such as publically available directories and online resources, your emergency contacts, your use of Wigan & Leigh College provided assets, systems and platforms, your previous establishment, tutors, managers, third party benefits providers. You can read more about the sources of personal data in the more detailed information set out in as explained in **Schedule 1**.
- 3.4 If any of the personal information you have given to us changes, such as your contact details, please inform us without delay by contacting the **Registry Team on 01942 761600** or registry@wigan-leigh.ac.uk.

4. **What do we do with your personal data, and why?**

- 4.1 We process your personal data for particular purposes in connection with the delivery of education and training and the management and administration of the institution.
-

- 4.2 We are required by law to always have a permitted reason or justification (called a “lawful basis”) for processing your personal data. There are **six** such permitted lawful basis for processing personal data. The table at **Schedule 2** sets out the different purposes for which we process your personal data and the relevant lawful basis on which we rely for that processing.
- 4.3 Please note that where we have indicated in the table at **Schedule 2** that our processing of your personal data is either:
- 4.3.1 necessary for us to comply with a legal obligation; or
 - 4.3.2 necessary for us to take steps, at your request, to potentially enter into a contract with you, or to perform it
- and you choose not to provide the relevant personal data to us, we may not be able to enter into or continue our engagement with you.
- 4.4 We may also convert your personal data into statistical or aggregated form to better protect your privacy, or so that you are not identified or identifiable from it. Anonymised data cannot be linked back to you. We may use it to conduct research and analysis, including to produce statistical research and reports. For example, information regarding ethnic origin, disability or health, is used for the purposes of equal opportunities monitoring and monitoring our service provision to improve our services to specific groups.
5. **Special category personal data (including criminal data)**
- 5.1 We are required by law to treat certain categories of personal data with even more care than usual. These are called sensitive or special categories of personal data and different lawful bases apply to them. The table at **Schedule 3** sets out the different purposes for which we process your special category personal data and the relevant lawful basis on which we rely for that processing. For some processing activities, we consider that more than one lawful basis may be relevant – depending on the circumstances.
6. **Who do we share your personal data with, and why?**
- 6.1 Sometimes we need to disclose your personal data to other people.
- 6.2 From time to time we may ask third parties to carry out certain business functions for us, such as destination tracking and our IT support. These third parties will process your personal data on our behalf (as our processor). We will disclose your personal data to these parties so that they can perform those functions. Before we disclose your personal data to other people, we will make sure that they have appropriate security standards in place to make sure your personal data is protected and we will enter into a written contract imposing appropriate security standards on them. Examples of these third party service providers include service providers and/or sub-contractors, such as marketing service providers, and our IT systems software and maintenance, back up, and server hosting providers.
- 6.3 In certain circumstances, we will also disclose your personal data to third parties who will receive it as controllers of your personal data in their own right for the purposes set out above, in particular:
- 6.3.1 if we transfer, purchase, reorganise, merge or sell any part of organisation or the business of a third party, and we disclose or transfer your personal data to the prospective seller, buyer or other third party involved in a business transfer, reorganisation or merger arrangement (and their advisors); and
 - 6.3.2 if we need to disclose your personal data in order to comply with a legal obligation, to enforce a contract or to protect the rights, property or safety of our employees, customers or others.
- 6.4 We have set out below a list of the categories of recipients with whom we are likely to share your personal data:
- 6.4.1 local education authority – The local authority that the learner resides in for learners aged 16-17, vulnerable 18 year olds and 18-25 with an Education Health Care Plan.
 - 6.4.2 previous establishment - for learners aged 16-18

- 6.4.3 awarding bodies
- 6.4.4 clients;
- 6.4.5 consultants and professional advisors including legal advisors and accountants;
- 6.4.6 courts, court-appointed persons/entities, receivers and liquidators;
- 6.4.7 business partners and joint ventures;
- 6.4.8 trade associations and professional bodies;
- 6.4.9 insurers; and
- 6.4.10 governmental departments, statutory and regulatory bodies including the Department for Education, Education Skills Funding Agency, Office for Students, Information Commissioner's Office and the police.

We may also share your personal data with third parties, as directed by you.

7. **Where in the world is your personal data transferred to?**

- 7.1 If any of our processing activities require your personal data to be transferred outside the European Economic Area, we will only make that transfer if:
- 7.1.1 the country to which the personal data is to be transferred ensures an adequate level of protection for personal data;
 - 7.1.2 we have put in place appropriate safeguards to protect your personal data, such as an appropriate contract with the recipient. (Please see paragraph 12.2 for contact details);
 - 7.1.3 the transfer is necessary for one of the reasons specified in data protection legislation, such as the performance of a contract between us and you; or
 - 7.1.4 you explicitly consent to the transfer.

7.2 Please note that the College does not intend to transfer any data outside of the European Economic Area in the normal course of its duties.

8. **How do we keep your personal data secure?**

We will take specific steps (as required by applicable data protection laws) to protect your personal data from unlawful or unauthorised processing and accidental loss, destruction or damage. Please refer to our data protection policy.

9. **How long do we keep your personal data for?**

- 9.1 If you are our student we will keep your personal data during the period of your education and then, after your education with us ends, for as long as is necessary in connection with both our and your legal rights and obligations. This may mean that we keep some types of personal data for longer than others.
- 9.2 We will only retain your personal data for a limited period of time. This will depend on a number of factors, including:
- 9.2.1 any laws or regulations that we are required to follow;
 - 9.2.2 whether we are in a legal or other type of dispute with each other or any third party;
 - 9.2.3 the type of information that we hold about you; and
 - 9.2.4 whether we are asked by you or a regulatory authority to keep your personal data for a valid reason.

9.3 Please refer to the [Wigan & Leigh College Retention Schedule](#) for further details.

10. **What are your rights in relation to your personal data and how can you exercise them?**

- 10.1 You have certain legal rights, which are briefly summarised at **Schedule 4**, in relation to any personal data about you which we hold.
- 10.2 ²Where our processing of your personal data is based on your **consent**, you have the right to withdraw your consent at any time. If you do decide to withdraw your consent we will stop processing your personal data for that purpose, unless there is another lawful basis we can rely on – in which case, we will let you know. Your withdrawal of your consent won't impact any of our processing up to that point.
- 10.3 Where our processing of your personal data is necessary for our **legitimate interests**, you can object to this processing at any time. If you do this, we will need to show either a compelling reason why our processing should continue, which overrides your interests, rights and freedoms or that the processing is necessary for us to establish, exercise or defend a legal claim.
- 10.4 If you wish to exercise any of your rights please contact Dave Harrison, Assistant Principal, Data Protection Officer 01942 761556 or dataprotection@wigan-leigh.ac.uk in the first instance.
- 10.5 You also have the right to lodge a complaint with the Information Commissioner's Office, which is the UK data protection regulator. More information can be found on the Information Commissioner's Office website at <https://ico.org.uk/>.

11. **Updates to this notice**

We may update this notice from time to time to reflect changes to the type of personal data that we process and/or the way in which it is processed. We will update you on material changes to this notice by email. We also encourage you to check this notice on our website on a regular basis.

12. **Where can you find out more?**

- 12.1 We have appointed a Data Protection Officer whose role is to inform and advise us about, and to ensure that we remain compliant with, data protection legislation. The Data Protection Officer should be your first point of contact if you have any queries or concerns about your personal data. Our current Data Protection Officer is Dave Harrison, Assistant Principal, who can be contacted at dataprotection@wigan-leigh.ac.uk or 01942 761556.
- 12.2 If you want more information about any of the subjects covered in this privacy notice or if you would like to discuss any issues or concerns with us, you can also contact us in any of the following ways:

By email at: dataprotection@wigan-leigh.ac.uk

By telephone at: 01942 761600

By post at: Parsons Walk, Wigan, WN1 1RS

Type of personal data	Collected from
<ul style="list-style-type: none"> • Highest previous qualification level • GCSE Maths & English grades • Household status (19+ learners only) • Parent/Guardian/Carer information (16-18 learners only) • Pastoral information (such as behavioural information, barriers to learning, career goals, destinations, strengths and weaknesses, additional support needs etc) • Your preferences in relation to our use of your personal data • Work placement information (if applicable) • Timetable • Enrolment termination details 	
g) Education Performance Information	
<ul style="list-style-type: none"> • Goals and aspirations (such as target grades, intended destinations etc.) • Strengths and weaknesses • Progress reviews and individual learning plans and associated feedback. • Attendance information, including attendance and punctuality information • Electronic Portfolio • Outcome and destination data. 	<ul style="list-style-type: none"> • You • Training providers
h) Asset, Systems and Platform Usage and Communications Information	
<ul style="list-style-type: none"> • Computer and phone records • Access logs and usage records from Wigan & Leigh College provided applications and technologies • User IDs and password information • IP addresses and other online and physical device identifiers • Records of calls, messages and/or internet or other data traffic and communications 	<ul style="list-style-type: none"> • You • Us • Our suppliers • Your use of Wigan & Leigh College assets, systems and platforms
i) Security, Location and Access Information	
<ul style="list-style-type: none"> • Information (including image data) captured or recorded by electronic card access systems, CCTV and other security control systems 	<ul style="list-style-type: none"> • You • Your use of Wigan & Leigh College security control systems

SCHEDULE 2

Purposes of processing personal data

For some processing activities, we consider that more than one lawful basis may be relevant – depending on the circumstances.

Purposes of processing	Lawful basis					
	We are permitted to process your personal data because...					
	1. You have given your consent to the processing (Please also see paragraph 10.2)	2. It is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.	3. It is necessary for us to comply with a legal obligation	4. It is necessary for our legitimate interests or those of third parties	5. It is necessary to protect your vital interests (or those of someone else)	6. It is necessary to perform a task in the public interest or in our official authority
a) Recruitment and planning						
1. Administering your application for a place on a course with us and considering your suitability for the relevant course						✓
2. Obtaining, considering and verifying your previous qualifications and education history						✓
3. Reviewing and confirming your right to study in the UK			✓			✓
4. Conducting verification and vetting, including criminal background checks and credit checks where required by law			✓			✓
5. Making an offer of a place on a course and entering into a contract of education with you		✓				✓
6. Analysing recruitment and retention objectives, processes and student turnover rates						✓
7. Developing, operating and collecting feedback on recruitment activities and student selection processes						✓
b) General education management and administration						
8. Communicating with you and providing you with information in connection with your education or engagement with us from time to time		✓				✓
9. Communicating with your employer and providing them with information in connection with your education or engagement with us from time to time	✓					✓
10. Communicating with your Parent/Guardian/Carer and providing them with information in connection with your	✓					✓

Purposes of processing	Lawful basis					
	We are permitted to process your personal data because...					
	1. You have given your consent to the processing (Please also see paragraph 10.2)	2. It is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.	3. It is necessary for us to comply with a legal obligation	4. It is necessary for our legitimate interests or those of third parties	5. It is necessary to protect your vital interests (or those of someone else)	6. It is necessary to perform a task in the public interest or in our official authority
education or engagement with us from time to time						
11. General administration, including facilities operations						✓
12. Managing our health and safety compliance obligations			✓			
13. Managing attendance records & registers.			✓			✓
14. Contacting the appropriate person in the event of an emergency concerning you					✓	✓
15. Administering our insurance policies				✓		
16. Determining whether any adjustments are necessary to enable you to carry out your education		✓	✓			✓
17. Carrying out performance reviews						✓
18. Providing details of your education to a new or potential provider or employer where requested by you (Portability)	✓					
19. Handling grievance and disciplinary matters, including investigating issues, considering appropriate resolution and mitigating actions and reviewing outcomes				✓		✓
20. Responding to reference requests from your future potential destination				✓		
c) Security and governance						
21. Monitoring the security of the College's physical premises and systems, networks and applications			✓			✓
22. Identifying and authenticating students and other individuals						✓
23. Establishing a network of emergency contacts for individuals in case of emergency				✓		✓
24. Identifying, investigating and mitigating suspected misuse of Wigan & Leigh College's assets, systems and platforms			✓	✓		✓
25. Ensuring compliance with Wigan & Leigh College's policies and procedures				✓		✓
d) Legal and regulatory compliance and responsibilities						
26. Managing and administering our equal opportunities reporting, including further to our obligations under the Public sector Equality Duty			✓			

Purposes of processing	Lawful basis					
	We are permitted to process your personal data because...					
	1. You have given your consent to the processing (Please also see paragraph 10.2)	2. It is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.	3. It is necessary for us to comply with a legal obligation	4. It is necessary for our legitimate interests or those of third parties	5. It is necessary to protect your vital interests (or those of someone else)	6. It is necessary to perform a task in the public interest or in our official authority
27. Compliance with obligations under the contract of education between you and Wigan & Leigh College		✓				✓
28. Compliance with obligations under the contract of education between Wigan & Leigh College and the Education Skills Funding Agency, Department for Education and Office for Students			✓			✓
29. Responding to binding requests or search warrants or orders from courts, governmental, regulatory and/or enforcement bodies and authorities			✓			✓
30. Responding to non-binding requests or search warrants or orders from courts, governmental, regulatory and/or enforcement bodies and authorities				✓		
31. Complying with disclosure orders arising in civil proceedings			✓			✓
32. Investigating, evaluating, demonstrating, monitoring, improving, reporting on and meeting Wigan & Leigh College's compliance with relevant legal and regulatory requirements			✓			✓
e) Day-to-day business operations						
33. Implementing, adapting and enhancing systems and processes to develop or improve our business and/or improve and enhance your experience				✓		
34. Publishing external facing materials for marketing and public relations purposes such as where we mention you in the context of Wigan & Leigh College's projects and initiatives in our marketing materials, social media posts and press releases	✓					
35. Supporting and maintaining our technology infrastructure		✓		✓		✓
36. Supporting the sale, transfer or merging of part or all of our business or assets, or in connection with the acquisition of another business			✓	✓		

SCHEDULE 3

Purposes of processing special category personal data

Purposes of processing	Special category lawful basis ³			
	We are permitted to process your personal data because...			
	1. You have given your explicit consent to the processing	2. It is necessary to protect the vital interests of the data subject or another person you or they are physically or legally incapable of giving consent	3. It is necessary for our establishment, exercise or defence of legal claims	4. It is necessary for reasons of substantial public interest
1. Conducting verification and vetting, including criminal background checks and credit checks where required by law				✓
2. Conducting background checks, verification and vetting, including references which are not required by law but needed by us to assess your suitability for your chosen course in line with Recruitment requirements	✓			✓
a) General education management and administration				
3. Managing registers and attendance records, and administering related support.				✓
4. Contacting the appropriate person in the event of an emergency concerning you		✓		
5. Administering our insurance policies				✓
6. Determining whether any adjustments are necessary to enable you to undertake your education				✓
b) Security and governance				
7. Identifying and authenticating students and other individuals		✓		✓
8. Identifying, investigating and mitigating suspected misuse of Wigan & Leigh College's assets, systems and platforms			✓	
c) Legal and regulatory compliance and responsibilities				

Purposes of processing	Special category lawful basis ³			
	We are permitted to process your personal data because...			
	1. You have given your explicit consent to the processing	2. It is necessary to protect the vital interests of the data subject or another person you or they are physically or legally incapable of giving consent	3. It is necessary for our establishment, exercise or defence of legal claims	4. It is necessary for reasons of substantial public interest
9. Compliance with obligations under the contract of education between Wigan & Leigh College and the Education Skills Funding Agency, Department for Education and Office for Students				✓
10. Managing and administering our equal opportunities reporting, including further to our obligations under the Public sector Equality Duty				✓
11. Responding to binding requests or search warrants or orders from courts, governmental, regulatory and/or enforcement bodies and authorities or sharing information (on a voluntary basis) with the same			✓	
12. Complying with disclosure orders arising in civil proceedings			✓	
13. Investigating, evaluating, demonstrating, monitoring, improving and reporting on Wigan & Leigh College's compliance with relevant legal and regulatory requirements			✓	
14. Responding to educational matters where permitted by applicable law, including criminal investigations, grievances, arbitrations, negotiations, elections and strikes			✓	
15. Making reasonable adjustments as needed to help remove barriers faced by you in your education because of any disability you might have				✓
16. Delivering health advice and services to you in relation to your education with us				✓
d) Day-to-day business operations				
17. Supporting our diversity programmes and student support networks and initiatives	✓			

SCHEDULE 4

Your rights in relation to personal data

Your right	What does it mean?	Limitations and conditions of your right
Right of access	Subject to certain conditions, you are entitled to have access to your personal data (this is more commonly known as submitting a "data subject access request").	If possible, you should specify the type of information you would like to see to ensure that our disclosure is meeting your expectations. We must be able to verify your identity. Your request may not impact the rights and freedoms of other people, eg privacy and confidentiality rights of other students.
Right to data portability	Subject to certain conditions, you are entitled to receive the personal data which you have provided to us and which is processed by us by automated means, in a structured, commonly-used machine readable format.	If you exercise this right, you should specify the type of information you would like to receive (and where we should send it) where possible to ensure that our disclosure is meeting your expectations. This right only applies if the processing is based on your consent or on our contract with you and when the processing is carried out by automated means (ie not for paper records). It covers only the personal data that has been provided to us by you.
Rights in relation to inaccurate personal or incomplete data	You may challenge the accuracy or completeness of your personal data and have it corrected or completed, as applicable. You have a responsibility to help us to keep your personal information accurate and up to date. We encourage you to notify us of any changes regarding your personal data as soon as they occur, including changes to your contact details, telephone number, immigration status.	Please always check first whether there are any available self-help tools to correct the personal data we process about you. This right only applies to your own personal data. When exercising this right, please be as specific as possible.
Right to object to or restrict our data processing	Subject to certain conditions, you have the right to object to or ask us to restrict the processing of your personal data.	As stated above, this right applies where our processing of your personal data is necessary for our legitimate interests. You can also object to our processing of your personal data for direct marketing purposes.
Right to erasure	Subject to certain conditions, you are entitled to have your personal data erased (also known as the " <i>right to be forgotten</i> "), eg where your personal data is no longer needed for the purposes it was collected for, or where the relevant processing is unlawful.	We may not be in a position to erase your personal data, if for example, we need it to (i) comply with a legal obligation, or (ii) exercise or defend legal claims.
Right to withdrawal of consent	As stated above, where our processing of your personal data is based on your consent you have the right to withdraw your consent at any time.	If you withdraw your consent, this will only take effect for future processing.