

PRIVACY POLICY - STUDENTS

The College is committed to the equality of opportunity and to a proactive approach to equality, which supports and encourages under-represented groups, promotes inclusivity and values diversity.

1 Policy Statement

This Privacy Policy applies to current and former students of WQE and Regent College Group (the “College”) and is to help you understand how and why we collect and process your personal data, how we will use that data, the legal justification for using it and what rights you have over your data.

The College has a responsibility under the UK GDPR and the Data Protection Act 2018 to ensure the security and fair use of personal data.

WQE and Regent College Group (University Road, Leicester, LE1 7RJ) is the data controller and is responsible for your personal data. The College is committed to being transparent about the data that it collects and uses and to meeting its data protection obligations. If you have any questions about this policy, including any requests to exercise your legal rights, please contact the Data Protection Officer using the information set out in section 8.

2 What is ‘personal data’?

‘Personal data’ includes any information that the College holds about you which identifies you. This includes:

- your name, date of birth and contact details;
- your place of birth and immigration status;
- details of your qualifications and other academic records, including records of your academic performance, progress and achievement;
- your attendance;
- records of any appeals or submissions you make relating to extenuating circumstances;
- if relevant, breaches of our policies (such as academic or other misconduct concerning College activities) or any complaints made by you or in which you are involved;
- CCTV footage and other information obtained through electronic means such as swipe card or login records;
- information relating to bursaries relevant to your studies;
- your photograph and video recordings; and

sensitive information, such as:

- your race or ethnicity; and
- any medical conditions you may disclose.

How is your personal data collected and held?

Your personal data may be collected through:

- your initial application and information obtained during your admissions process;

- further data collection and checking during your time at the College.
- relevant staff who will record data such as marks and grades, attendance, and welfare and behavioural information; and
- third parties such as parents/carers, your previous school/college, GP and other professionals, or local authority services.

Your personal data is held in our College IT systems, and will be visible to relevant College staff. Access to more sensitive data such as data concerning your physical or mental health will be restricted and only shared with staff who need to know that information such as staff supporting you during your studies and implementing any reasonable adjustments you may require. We also keep paper copies of some of your personal data.

3 How the College uses your personal data and why

We use your personal data to administer and support your education at the College. We will use any information on disabilities to ensure that you are adequately supported, for example implementing any reasonable adjustments you require. We will also use your data to make sure we treat everyone fairly and comply with equalities legislation and our other legal obligations.

Whilst using College IT systems, we monitor your use of email, the internet and mobile devices. As part of your enrolment to the College you must agree to abide by the College's IT Acceptable Use Policy.

CCTV is used to ensure the campuses remain a safe environment. CCTV is not used in private areas such as changing rooms. Our security staff may wear body cameras.

Legal grounds for using your data

The law requires the College to have a legal basis for collecting and using your personal data. This section describes the legal bases applied to processing your data. We rely on one or more of the following legal bases:

Public task

The majority of your data will be processed under the public task basis. We are using your data to enable us to perform a public task, i.e. providing education. Various aspects of this include:

- administering and monitoring your education whilst at the College;
- safeguarding and promoting your welfare;
- fulfilling the requirements of funding bodies, other government agencies, and awarding boards that certify qualifications; and
- monitoring the College's performance to ensure we give you the best possible education.

Contractual necessity

We process your data where it is related to performance of the contract for the provision of our academic programmes. Where the basis of processing your personal data is a contractual necessity and you don't provide us with the personal data we need, the College may not be able to provide you with the service for which you have applied.

Legal obligation

It may be necessary for us to use your data to keep you and others safe, such as reporting safeguarding concerns to Social Care, your GP or CAMHS. We may also disclose your

information to comply with a legal obligation to the courts or the police if they have requested this through their formal processes in connection with a specific crime or incident.

Vital interests

It may be necessary to use medical data held to support you in the case of a medical emergency. This may also prevent you from being seriously harmed or killed.

Legitimate Interests

We have a broad legitimate interest in activities that connect to the education of students, such as communicating with you to market our courses, ensuring the safety of our campuses, ensuring and facilitating student success and maintaining an alumni network.

Consent

We rely on consent only where we have obtained your active agreement to use your personal data for a specified purpose. If you do consent, you can opt-out at a later date if you change your mind. We will stop processing your data at that point.

Special category data

We may need to store sensitive data about you, known as 'special category data'. Special category data includes information about your ethnicity and some medical information, such as information you disclose to us about disabilities which may require support during your time as a student at the College. In addition to one of the lawful bases set out above, we will rely on one of the conditions of Article 9 of the UK GDPR:

- explicit consent;
- reasons of substantial public interest;
- the personal data has been manifestly made public by you;
- the establishment, exercise or defence of legal claims;
- for archiving, statistical and research purposes; or
- processing is necessary to protect vital interests.

4 With whom does the College share your data?

Your information will be shared internally within the College so that we can administer your education. We may also share your data with various external agencies as necessary to allow us to administer your education. The following are a list of third-party service providers that may process your personal information:

- your parents/ carers – we will only do this with your specific consent;
- our funding bodies and Learner Records Service require this to fulfil our funding obligations;
- awarding bodies require this so that we can enter you for examinations;
- work experience or placement providers;
- local authority so that they can track your education and progression destination;
- your previous school/college to allow them to track your education and fulfil their statutory obligations. This will usually be limited to your results and your destination after leaving the College;
- university or other place of higher or continued learning will receive a reference which will include comments and predicted grades from College staff. We may share information with such an organisation to enable them to support you and provide you with an education;

- data processors (third parties who process personal data on our behalf, such as software providers); and/ or

Where we do share data, we will do so securely and only where we have confirmation from the recipient that they will process your data securely, fairly, and in line with legislation. We will not send your data outside of the UK and European Economic Area without your express consent.

We may also be asked to provide a reference for employment and other opportunities if requested by you. You must specifically give your consent to the company that is asking for this and we will share only what we are asked for.

5 How long do we keep your data?

We keep your information for as long as is required in order to educate and support you, and to ensure that our legal obligations are met. We need to ensure that we can provide you with certain services at the end of your period of study, such as employment and university references and confirmation of examination results. Normally, we will keep most records for seven years after the end of the year in which a student leaves, although some records may be destroyed earlier. Further information and exact details on our data retention periods can be found in our Data Retention Policy.

6 Automated decision-making

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

7 Your data protection rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. These rights include:

▪ Right to be informed

The College will ensure you have sufficient information to ensure that you're happy about how and why we're handling your personal data, and that you know how to enforce your rights.

▪ Right of access / right to data portability

You have a right to see all the information the College holds about you (commonly known as a "data subject access request"). Where data is held electronically in a structured form, such as in a database, you have a right to receive that data in a common electronic format that allows you to supply that data to a third party - this is called "data portability". If you wish to exercise your right of access please email the Data Protection Officer on the contact details in section 9.

▪ Right of rectification

If we're holding data about you that is incorrect or incomplete, you have the right to have it corrected, though we may need to verify the accuracy of the new data you provide to us.

- **Right to erasure**

You can ask that we delete your data and where this is appropriate we will take reasonable steps to do so. The right to erasure is a limited right, and we may not be able to agree to requests for erasure. If this occurs, we will explain why your request is not being actioned.

- **Right to restrict processing**

You can ask us to suspend the processing of your data in the following scenarios:

- if you want us to establish the data's accuracy;
- where our use of the data is unlawful but you do not want us to erase it;
- where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or
- you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to process it.

- **Right to object**

You can object to the processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

- **Rights related to automated decision making including profiling**

If the College makes automated decisions about you, you have the right to ask for a human being to intervene on your behalf or to check a decision.

- **Right to withdraw consent**

Where we are relying on your consent to process your personal data or your explicit consent to process your special category data, you have the right to withdraw that consent at any time. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

- **Right to transfer**

You have the right to request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format where possible.

If you wish to exercise any of your data rights or submit a data subject access request, please contact the DPO on the details set out in section 9 below.

You will not have to pay a fee to access your personal data (or to exercise any of your other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask for further information in relation to your request to speed up our response.

8 Data Protection Officer

The College has an appointed Data Protection Officer.

They can be contacted by emailing: DPO@wqe.ac.uk

9 Further information, guidance and complaints

If you require further information about our use of your personal data, or if you have any concerns about how your data is being shared, please contact our Data Protection Officer in the first instance using the contact details set out above.

If you are unhappy about the way we have used your personal data, you have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK regulator for data protection issues, by using the following link: ico.org.uk/make-a-complaint/.