

PRIVACY POLICY – STUDENT APPLICANTS

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 student applicants of Wyggeston and Queen Elizabeth College (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 9.

2 What is ‘personal data’?

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

- your name, sex, date of birth and contact details;
- your academic history and details of your qualifications and prior experiences;
- details relating to your nationality, residency within the UK and eligibility for funding;
- your chosen study programme; and

sensitive information such as

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

3 How is your personal data collected and held?

Your personal data may be collected through the following sources:

- any information disclosed by you on your WQE application;
- any information or notes taken during an interview or other selection process. This forms a record of why we have or may not have offered you a place at the College;
- any information provided by third parties such as parents/carers, your previous school or college, any referees, your GP or other professionals, or local authority services;
- any information relating to your attendance at applicant events; and/ or
- general correspondence and administration related to the processing of your application.

Your personal data is held on our College IT systems, and will be visible to relevant staff involved in the processing of your application. 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 interview and if/when you enrol at the College. We also keep paper copies of some of your personal data.

4 How the College uses your personal data and why

We use your personal data to assess your application and suitability for a place at the College and prepare for your enrolment with the College.

CCTV is used to ensure the campus remains 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 the College to perform a public task, i.e. providing education. Various aspects of this include:

- administering and processing your application to study at the College;
- fulfilling government requirements regarding the sharing of information between schools, colleges and local authorities; 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 we are about to enter into with you (i.e. taking steps at your request before entering into the contract with us 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 process your request or provide you with the service for which you have applied.

Legal obligation

It may be necessary for us to use your data to comply with a legal obligation such as reporting safeguarding concerns to Social Care or the Police. We may also disclose your information to the courts or the Police if they have requested this through their formal process in connection with a specific crime or incident.

Vital interests

It may be necessary to use any medical information we hold to support you in a medical emergency or prevent you from being seriously harmed or killed.

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.

Legitimate Interests

We have a broad legitimate interest in activities that connect to but are not directly the education of students, such as communicating with you to market our courses.

Special category data

We may need to store sensitive data about you, known as 'special category data'. This includes information about your ethnicity and some medical information, such as information you disclose to us about disabilities which may require support during your application or during delivery of academic programmes. 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.

There may be other processing in addition to the above, for example, when you access our website which uses cookies or when we take photos of our events and publish them. This is done on the basis of our policies and we will inform you about such processing at the time when the data is obtained or as soon as reasonably possible thereafter.

5 With whom does the College share your data?

Within the College, your personal data will be shared with those members of College staff who conduct the application process, assess eligibility and administer student support services for students who require reasonable adjustments.

We may also share your data with our local authority services and with your previous school/college in order for them to ensure you are planning the next stage of your education.

We will share your name, date of birth, and contact details with various system providers to enable us to provide you with services such as learning resources, online payments and a WQE email account as is necessary during the application process. Some of these services require setting up before you enrol.

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.

6 How long do we keep your data?

We keep your data for as long as is necessary to process your application. If you enrol with us we will transfer your data to your student file. If you do not enrol at the College, we will keep your application form until we enrol in the following year, in case you re-apply. Exact details are set out in our Data Retention Policy.

7 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.

8 Your data protection rights

Under certain circumstances, by law you have the following 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 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 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. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

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.

9 Data Protection Officer

The College has an appointed Data Protection Officer.

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

10 Further information, guidance and complaints

If you require further information about our use of your personal data, or you have 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 in which 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/