

Privacy Notice

Your privacy is important to us and we want you to feel comfortable with how we use your personal information. This privacy notice sets out how Esher Sixth Form College handles your personal information, including when and why it is collected, how it's used, and your rights in relation to the personal data we hold.

This privacy notice will be reviewed regularly, and any changes will be notified to you by posting an updated version on our website, and where possible by contacting you via email.

What information do we collect about you?

The categories of information that we may collect about you are as follows:

- **Basic information** such as your name, contact details, date of birth, sex and nationality.
- Information that makes up your **education record**, such as the courses you studied, your achievements and qualifications, attendance, behavioural information and your destination after you leave College.
- **Administrative details** such as invitations, appointments and your attendance at events, parking permits and library borrowing information.
- Information that is classified as **sensitive** under data protection legislation, such as your gender, ethnicity and information relating to your physical and mental health.
- **Additional exam related information**, such as exam entries, seating plans, post results services, and exam malpractice reports and outcomes.
- **Financial records** of payments you have made for trips, print credit and other services offered by the College.
- If you participate in a **trip or visit**, we may collect information such as your passport details, additional medical information and details of your travel insurance.
- When using College IT systems your personal information will be recorded as part of **security and audit logs**. This will include details such as your username, IP address, details about your device and the times and dates you access specific services.
- **CCTV footage** of you may be captured when you are on the College campus.
- **Marketing information**, including photos of you, your work and information about your time at the College.
- **Health and safety information**, such as accident records.
- **Communications preferences**, including consent for email and postal marketing.
- **Work** that you complete while at College.

Where do we get information about you?

Most of the information we hold about you either comes directly from you, or is generated by us in the normal day-to-day operations of the College.

We also receive information from third parties, such as:

- Online Payment Providers (SagePay)
- Learning Records Service

- UCAS, and other Educational Institutions such as your previous school
- Surrey County Council and other local authorities
- Police, the Security Services, NHS and other Emergency Services
- Children's Services
- JCQ and Awarding Organisations (Examination Boards)

Why we collect and use your information, and the lawful basis for doing so

The purposes for which we use your information and the legal basis on which we rely are as follows:

- The majority of the information we hold about you is required for the **performance of your contract** with us, which is to provide you with your education, support you, and help you leave College with the skills, knowledge and qualifications you need to progress to your chosen destination.
- Some information we collect is used to fulfil our **legal obligations**, for example;
 - ensuring your safety while at College;
 - maintaining financial records to comply with tax law;
 - monitoring our performance and complying with Ofsted requirements
- We also process your data where it is necessary for the pursuit of our **legitimate interests**, such as;
 - monitoring IT systems to ensure their security, availability and to improve the services we offer;
 - to enforce or protect our contractual or other legal rights, or to bring or defend legal proceedings;
 - recording CCTV and monitoring gate access to ensure the security and safety of the College campus and its community;
 - marketing
- We also collect information on behalf of the Education and Skills Funding Agency (ESFA), who fund your education. Please refer to their Privacy Notice for details about how they process your personal data.
- Data protection legislation classifies some of the information we collect as sensitive, and we require your **consent** to process it. This includes your ethnic origin, gender and medical information. We use your medical information to help support you while at College, and it enables us to apply for Exam Access Arrangements where appropriate. We collect your consent when you provide this information on your application form.

How long we keep your information

- Your basic information, education record and communication preferences will be kept for up to 20 years after you leave College. This enables us to confirm you attended College, provide references and help you obtain lost exam certificates. We are also required to keep this information for 8 years in order to comply with funding audits.
- Sensitive information, including details of your physical and mental health will be kept for 6 years after you leave College. This information can contribute positively to references, as well as be used to help support your transition to other education providers.

- Administrative details will be deleted 3 months after you leave College
- Additional exams information and IT security and audit logs will be kept for up to 12 months after you leave College.
- Unclaimed exam certificates will be kept for 6 years from the date of issue. Records of their destruction will be kept for 4 years from the date of destruction.
- We keep CCTV footage for up to 30 days, unless a specific incident has occurred and the images are saved for an investigation. In this situation, the images may be stored for up to 6 years.
- Financial records will be kept for 6 years after the end of the financial year to which they relate, in order for us to comply with our legal obligations.
- Information about you, including photos, may be kept, and used for marketing purposes, for up to 3 years after you leave College.
- Information collected specifically for trips and visits will only be kept for the duration of the trip.

Who we share your information with

Your personal data will be shared with a number of third parties, including:

- Your parents/guardians.
- Surrey County Council, other local authorities and your previous school. We do this to assist them with their statutory duties under the Education and Skills Act 2008 to support the participation of young people in education, employment or training. Information shared may include your name, enrolment status and your destination after College.
- The Joint Council for Qualifications (JCQ) and Awarding Organisations. We do this to register you for, and carry out exams, process applications for special consideration and access arrangements, and obtain your exam results.
- Caterlink Ltd, the Colleges catering partner.
- UCAS, Universities and other Educational Institutions you apply to.
- Companies and organisations you ask us to share your information, for example a reference when applying for a job.
- Ofsted, Auditors and other legal and professional advisors.
- Government bodies and agencies, including the Department for Education, Education and Skills Funding Agency (ESFA), Learning Record Service, Ofsted and The Data Service.
- The Police, Security Services, Children's Services, NHS, and other Emergency Services, in an emergency or to otherwise protect your vital interests, or for the prevention and detection of crimes.
- Courts, to comply with legal requirements, and for the administration of justice.
- We also shared your basic details, such as your name and college email address with various IT service providers such as;
 - Online payment provider SagePay;
 - Microsoft;
 - Suppliers of library resources, such as eBook and journals

- Confidential waste disposal services, for the destruction of paper documents, as well as old IT equipment.
- Travel agents, airlines and other companies if you have signed up for a trip.
- The press and the general public for marketing purposes.

Transferring your data outside of the European Economic Area (EEA)

The majority of your information is stored and processed within the European Economic Area (EEA).

Your basic personal details, including your name, email address and admission number will be shared with IT Service providers that host part, or all of their services outside of the EEA. In these situations, we ensure contractual obligations are in place to protect your personal data to the standard required in the UK.

If you participate in a trip abroad, your information may be transferred outside of the EEA. We will endeavour to ensure appropriate safeguards are in place where possible.

Security

The College takes the security of your personal data very seriously. We have implemented strong organisational and technical security safeguards to prevent unauthorised disclosure or access to your information.

Where we share your personal data with other organisations we will ensure a Data Sharing Agreement is in place and all data is transferred using strong encryption.

The College complies with all relevant data protection legislation.

Contacting Us

If you have any queries about this privacy notice or how we process your personal data, we would ask you to raise your concern with us in the first instance by talking to your tutor, or by contacting the Colleges Data Protection Officer:

The Data Protection Officer
Esher Sixth Form College
Weston Green Road
Thames Ditton
KT7 0JB

Email: dataprotectionofficer@esher.ac.uk
Telephone: +44 208 398 0291

If you are not satisfied with how we process your personal data, or how we have handled your query, you can make a complaint to the Information Commissioner. (<https://ico.org.uk/concerns>)

Access to your information

You have the right to request a copy of the information that we hold about you. Usually we will provide this information to you free of charge and within 30 days.

In exceptional circumstances, we may refuse to provide you with some of the information we hold about you. If we do this we will explain why, and our legal basis for doing so.

Transferring your data

You have the right to request a copy of your personal data in a commonly used machine-readable format such as CSV or Microsoft Excel XLSX so that you can transfer your data to another organisation. We have to provide this to you free of charge and process your request within 30 days. You can also ask us to send your data directly to another organisation.

Correcting mistakes

You have the right to request we update any information we hold about you if you think, it is incorrect, incomplete or out of date.

If we believe, the information we hold about you is correct we may refuse to update our records, but we will note your objection.

Objecting to how we process your data

Where we are relying on *Legitimate Interests* or *Public Interest* as the legal basis for processing your personal data, you have the right to object, on grounds relating to your particular situation, to us processing your personal data where you feel the processing has a disproportionate impact on your rights.

Withdrawing consent

Where we have obtained your consent to use your data you have the right to withdraw consent at any time and ask us to stop processing your data.

Withdrawing consent may affect the services and support we can offer you.

Automated processing

When applying to take part in trips and visits, and some extension courses an automated decision about your eligibility will be made by the College's IT systems.

Our automated attendance system will check your attendance weekly to identify any concerns. If your attendance falls below certain thresholds, an email will be sent to your parents/guardians highlighting the concerns we have.

You have the right to ask for a member of staff to double check these automated decisions.

The right to be forgotten

You can ask us to erase your personal data in the following situations:

- The data is no longer necessary in relation to the purpose for which it was originally collected.
- You have withdrawn consent.
- You have objected to us processing the data and there is no overriding legitimate interest for us to continue the processing.
- Your personal data was unlawfully processed.
- Your personal data has to be erased in order to comply with a legal obligation.

We may in some circumstances refuse to erase your personal data. If we do this we will explain why, and our legal basis for doing so.

Restricted processing

In the following situations, you can tell us to stop or restrict the processing of your personal data. We will continue to store the data, but we will only be able to use it in the ways you specify.

- You have asked us to update your data, and you want us to stop using it until we have updated it.
- You have objected to the way in which we process your data and you want us to stop using it until we have finished evaluating your objection.
- We processed your data unlawfully and you want us to restrict access to the data instead of erasing it.
- We no longer need the data, but you require it to establish, exercise or defend a legal claim.

You can find out more about your rights under data protection legislation from the Information Commissioner's Office website: <https://www.ico.org.uk>.