
PRIVACY NOTICE FOR STUDENTS AT THE COLLEGE

BACKGROUND:

Brooklands College understands that your privacy is important to you and that you care about how your personal data is used. We respect and value the privacy of all of our students and employees and we will only collect and use personal data in ways that are described here, and in a way that is consistent with our obligations and your rights under the law.

This policy covers students attending Brooklands College.

1. Information About Us

Brooklands College.

A Further Education College registered in England

Registered address: Weybridge Campus, Heath Road, Weybridge, Surrey, KT13 8TT

 Data Protection Officer,

 Brooklands College,

 Weybridge Campus,

 Heath Road,

 Weybridge,

 Surrey,

 KT13 8TT.

 email: FOI@brooklands.ac.uk

2. What Does This Notice Cover?

This Privacy Information explains how we use your personal data: how it is collected, how it is held, and how it is processed. It also explains your rights under the law relating to your personal data.

3. What is Personal Data?

Personal data is defined by the General Data Protection Regulation (EU Regulation 2016/679) (the “GDPR”) as ‘any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier’.

Personal data is, in simpler terms, any information about you that enables you to be identified. Personal data covers obvious information such as your name and contact details, but it also covers less obvious information such as identification numbers, electronic location data, and other online identifiers.

The personal data that we use is set out in Part 5, below.

4. What Are My Rights?

Under the GDPR, you have the following rights, which we will always work to uphold:

a) The right to be informed about our collection and use of your personal data. This

Privacy Notice should tell you everything you need to know, but you can always contact us to find out more or to ask any questions using the details in Part 11.

- b) The right to access the personal data we hold about you. Part 10 will tell you how to do this.
- c) The right to have your personal data rectified if any of your personal data held by us is inaccurate or incomplete. Please contact us using the details in Part 11 to find out more.
- d) The right to be forgotten, i.e. the right to ask us to delete or otherwise dispose of any of your personal data that we have. Please contact us using the details in Part 11 to find out more.
- e) The right to restrict (i.e. prevent) the processing of your personal data.
- f) The right to object to us using your personal data for a particular purpose or purposes.
- g) The right to data portability. This means that, if you have provided personal data to us directly, we are using it with your consent or for the performance of a contract, and that if data is processed using automated means, you can ask us for a copy of that personal data to re-use with another service or business in many cases.
- h) Rights relating to automated decision-making and profiling. We do not use your personal data in this way.

For more information about our use of your personal data or exercising your rights as outlined above, please contact us using the details provided in Part 11.

Further information about your rights can also be obtained from the Information Commissioner's Office or your local Citizens Advice Bureau.

If you have any cause for complaint about our use of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office.

5. What Personal Data Do You Collect?

We may collect some or all of the following personal data (this may vary according to your relationship with us or the requirements of the funding and awarding bodies:

- Name;
- Date of birth;
- Gender;
- Address;
- Email address;
- Telephone number;
- Business name (if applicable);
- Job title;
- Employment status;
- Payment information (if applicable);
- Prior achievement;
- Attendance data (including dates of attendance)

- Nationality;
- Religion;
- Length of time in the United EEA;
- Former/Current School;
- Health records/conditions (inc. mental health),
- Behaviour record
- Special Needs Details
- Sex-related data
- Computer usage statistics (including access to the college WIFI)

Your personal data is obtained from the following third parties:

- Learning Record Service: provided and managed by the Education and Skills Funding Agency as part of the Learning Records Service (LRS);
- The Hub: provides online services for use by organisations working with the Education and Skills Funding Agency (ESFA).

6. How Do You Use My Personal Data?

Under the GDPR, we must always have a lawful basis for using personal data. This may be because the data is necessary for our performance of a contract (providing education) with you, because you have consented to our use of your personal data, or because it is in our legitimate business interests to use it. Generally, the information is processed as part of our public interest task of providing education to you.

Where that information is special category personal information (e.g. medical information) we will process it because there is a substantial public interest for us to do so. Your personal data will be used for the following purposes:

- Providing and managing your account (Finance).
- We will use your information to manage and administer your education. This will include putting together class lists, for sending event invitations, for communicating with you, for dealing with admissions, for putting together reports and registers, to check entrance exam results, to allocate you to the correct classes for assessments, to make arrangements for exams or visits, to consider whether to offer places to students, to consider whether special provision or assistance is required for exams and visits and to be able to tell other colleges your attendance dates if you leave.
- As part of the delivery of our courses to you, our staff will collect (e.g. for marking purposes), the work that you create. In addition, when you use the IT systems we provide you with access to, we will process the data you input.
- Where you have previously studied at the College or commenced an application process with us before, then we will send you information about the courses we provide on the basis of our legitimate business interests. In doing so, we will comply with the requirements of the “soft opt in” and offer you an opportunity to refuse marketing when your details are first collected and in subsequent messages (by way of own unsubscribe).
- Communicating with you. This may include responding to emails or calls from

you.

- Supplying you with information by email AND/OR post that you have opted-in to (you may unsubscribe or opt-out at any time by way of unsubscribe).
- We keep an eye on how you use the College's equipment and computers and what websites you go on when you are browsing the internet at College. This is because we have legal obligations to protect you, and we also have a legitimate interest in making sure you are using our computer equipment correctly and that you are not looking at any inappropriate content.
- We use CCTV at our buildings for the purposes of crime prevention, security and health and safety and, accordingly, will capture imagery of all visitors to the College which includes staff, students, and suppliers.

With your permission and/or where permitted by law, we may also use your personal data for marketing purposes, which may include contacting you by email AND/OR telephone AND/OR text message AND/OR post with information, news, and offers on our courses AND/OR services. You will not be sent any unlawful marketing or spam. We will always work to fully protect your rights and comply with our obligations under the GDPR and the Privacy and Electronic Communications (EC Directive) Regulations 2003, and you will always have the opportunity to opt-out.

We do not use automated decision making processes

7. **How Long Will You Keep My Personal Data?**

We will not keep your personal data for any longer than is necessary in light of the reason(s) for which it was first collected. Your personal data will therefore be kept for the following periods (or, where there is no fixed period, the following factors will be used to determine how long it is kept):

- Requirement of Exam boards;
- Requirement of the ESFA;
- Requirement of the Office for Students;
- Requirements of OFSTED.

8. **How and Where Do You Store or Transfer My Personal Data?**

Student Data

We will only store or transfer your personal data within the European Economic Area (the "EEA"). The EEA consists of all EU member states, plus Norway, Iceland, and Liechtenstein. This means that your personal data will be fully protected under the GDPR or to equivalent standards by law.

Please contact us using the details below in Part 11 for further information about the particular data protection mechanism used by us when transferring your personal data to a third country.

The security of your personal data is essential to us, and to protect your data, we take a number of important measures, including the following:

- Personal data may be transmitted over secure networks only; transmission over unsecured networks is not permitted in any circumstances;

- Personal data may not be transmitted over a wireless network if there is a wired alternative that is reasonably practicable;
- All electronic copies of personal data should be stored securely on the College network and only accessible by using network accounts with appropriate access that are password protected;
- All hardcopies of personal data, along with any electronic copies stored on physical, removable media should be stored securely in a locked box, drawer, cabinet, or similar;
- All personal data stored electronically should be backed up daily with backups stored onsite. All backups should be secured using recognised back up software and accessible only through administrator network accounts via the College network;
- No personal data should be stored on any mobile device (including, but not limited to, laptops, tablets, and smartphones), whether such device belongs to the College or otherwise, and
- No personal data should be transferred to any device personally belonging to an employee and personal data may only be transferred to devices belonging to agents, contractors, or other parties working on behalf of the College where the party in question has agreed to comply fully with the letter and spirit of this Policy and of the GDPR (which may include demonstrating to the College that all suitable technical and organisational measures have been taken).

Email Addresses

The college uses MailChimp software (<https://mailchimp.com/> based in the USA) to send notifications by email to the college mailing lists which contain student and partner details collected as part of applications / enrolment or marketing campaigns.

Mailchimp acts as a third party processor and participates in and has certified its compliance with the EU-U.S. Privacy Shield Framework and the Swiss-U.S Privacy Shield Framework. Mailchimp are committed to subjecting all Personal Information received from European Union (EU) member countries and Switzerland, respectively, in reliance on each Privacy Shield Framework, to the Framework's applicable Principles. To learn more about the Privacy Shield Frameworks, and to view Mailchimp certification, visit the U.S. Department of Commerce's Privacy Shield website: <https://www.privacyshield.gov/welcome>. A list of Privacy Shield participants is maintained by the Department of Commerce and is available at: <https://www.privacyshield.gov/list>.

9. Do You Share My Personal Data?

We are primarily funded through public funds, and as such we are required to keep data for a variety of legal, regulatory or technical reasons. In some cases, records must be maintained for auditory purposes by third parties such as:

- Education and Skills Funding Agency (ESFA)
- Local Councils
- Office for Students (Higher Education)
- Awarding bodies
- Government agencies
- Mailchimp (<https://mailchimp.com/>) autoresponder software

We will make sure that your privacy is protected and only use it for those purposes.

If any of your personal data is required by a third party, as described above, we will take steps to ensure that your personal data is handled safely, securely, and in

accordance with your rights, our obligations, and the third party's obligations under the law, as described above in Part 8.

If any personal data is transferred outside of the EEA, we will take suitable steps in order to ensure that your personal data is treated just as safely and securely as it would be within the UK and under the GDPR, as explained above in Part 8.

In some limited circumstances, we may be legally required to share certain personal data, which might include yours, if we are involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.

10. **How Can I Access My Personal Data?**

If you want to know what personal data we have about you, you can ask us for details of that personal data and for a copy of it (where any such personal data is held). This is known as a "subject access request".

All subject access requests should be made in writing and sent to the email or postal addresses shown in Part 11.

There is not normally any charge for a subject access request. If your request is 'manifestly unfounded or excessive' (for example, if you make repetitive requests) a fee may be charged to cover our administrative costs in responding.

We will respond to your subject access request within 20 business days and, in any case, not more than one month of receiving it. Normally, we aim to provide a complete response, including a copy of your personal data within that time. In some cases, however, particularly if your request is more complex, more time may be required up to a maximum of three months from the date we receive your request. You will be kept fully informed of our progress.

11. **How Do I Contact You?**

To contact us about anything to do with your personal data and data protection, including to make a subject access request, please use the following details:

Data Protection Officer
Brooklands College
Weybridge Campus
Heath Road
Weybridge
Surrey
KT13 8TT
email: FOI@brooklands.ac.uk

12. **Changes to this Privacy Notice**

We may change this Privacy Notice for Students from time to time. This may be necessary, for example, if the law changes, or if we change our business in a way that affects personal data protection.

Any changes will be made available via the Brooklands College website (<http://www.brooklands.ac.uk>).