

## Privacy Notice – Service Users - How we use your personal data.

Under data protection law, individuals have a right to be informed about how we use any personal data we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data. This privacy notice explains how we collect, store, and use personal data about all our Service Users including applicants and past learners.

We, London Learning Consortium, are the 'data controller' for the purposes of data protection law.

### The personal data we hold.

Personal data and where appropriate Special Categories of Data that we may collect, use, store, and share (when appropriate) about you includes, but is not restricted to:

- **Contact details** such as first name, middle names, surname, address, personal and work email addresses, personal and work telephone numbers
- **Financial details** e.g., student Loan, bursary, funding agreement, bank details, salary details, tax/national insurance details, pension details, debts/overdue charges, credit/debit card details and purchase history
- **Other details relating to your financial situation** e.g., Student Loan, Bursary, Free School Meals, Travel Assistance, benefits information, employment status and household situation
- **Lifestyle information** such as dietary preferences, hobbies, other likes/dislikes/preferences etc.
- **Location** e.g., physical, or electronic information which identifies your location
- **Online/Unique identifiers** such as student ID codes, Unique Learner Number, online/website details e.g., usernames, passwords, session IDs, geo locations, device/pps ID, IP addresses, cookies, RFI tags.
- **Special Categories of Data** which may include information about racial and ethnic origin, religion, politics, trade union membership, genetic and biometric data (e.g., fingerprints used for ID purposes), health, mental health, physiological and disability information, sex life and sexual orientation, behavioural characteristics, social identity, cultural background, facial Images, philosophical beliefs, and economic data
- **Personal non-contact details** e.g., date of birth, age, gender, photographs, video imaging, passport details, visa details, driving licence details
- **Course information and exam timetable information** e.g., details of the courses you are or have been enrolled on and exam information
- **Student work** e.g., paper, and electronic based worksheets, books, assessments, and exam papers
- **Behaviour and attendance information**
- **Learning Support Information**

- **References** e.g., School/College/University and Character References and Employment Details
- **Parent/Legal Guardian/Next of Kin/Emergency Contact details** (the details we hold will depend on whether the student is under the age of 18).
- **Social Worker details and other agency professionals linked to your care**
- **Academic information** exam results/qualifications/academic achievement/mandatory and voluntary professional body memberships/accreditations/certifications/training records/Individualised Learner Record (ILR) data
- **Complaints/Grievances details** such as Student, staff, public and other complaints to which you are a named party or involved in the investigation process
- **Health and Safety information** such as accident records, risk assessments, occupational health records, personal protective equipment records, industrial disease monitoring, insurance and legal claims, disability, and access requirements.
- **Criminal and Conviction Information** such as Disclosure Barring Service (DBS) checks, safeguarding risk assessments in relation to disclosures provided to us (see below) and other notifications (certain courses and placements require DBS checks to be carried out).

### Collecting this information.

Whilst the majority of information you provide to us is mandatory or necessary to enable us to provide services to you or conduct our core activities as an education provider, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide information to us or if you have a choice in this.

We collect Service User personal data in a variety of different ways for example paper and electronic forms via our website and student portal, by email and verbally.

We also collect your personal information from different sources for example when you make enquiries with us; when you provide your details for marketing purposes; when you register for events such as open days and when you register as a student with us or provide us with any other information during your course or apprenticeship. Your personal information may also be provided to us by various third-party sources which may include your legal guardian, current or former school, college or university, past, apprenticeship and course providers, current and future employers and placement providers, UCAS, student loan companies, Connexions and other careers services and other institutions involved in joint programmes and sometimes we purchase personal data contact lists from data companies.

Your information may be shared with us by the Police, Social Care, Health, Youth Offending Team, and sometimes voluntary agencies where there is a safeguarding concern or in relation to Public Protection.

We will ask to see your identification data to ensure we have your correct details and can verify your identity before accepting you on a course and where required we may ask to see your ID documents at various points during your study with us where your student ID is not sufficient.

We may take copies for proof / auditing purposes where necessary.

- Collecting this data enables us to comply with our various legal and contractual obligations and conduct our core education provider and business activities for example:
  - Administration in connection with courses, education, and training services we provide you with and facilitate student learner agreements and course progression, participation and completion
  - To enable us to work in partnership and share necessary information with professional advisers, employers, partner agencies, voluntary initiatives, and programme representatives such as attendance details and progress updates
  - To enable us to speak to parent/carers/legal guardians and next of kin as necessary
  - To enable us to collect and make payments in relation to courses, education, and training services, expenses, provision of goods and library and ID card fines etc.
  - To enable us to record your destination upon leaving e.g., continuing education elsewhere or employment
  - To enable us to deal with student finance administration, funding agreements, financial assistance and bursary applications, student accommodation
  - To help us identify vulnerable learners and learners who may benefit from additional support.
  - To enable us at the request of the student to confirm student details to third parties such as course details, enrolments dates, eligibility to benefits and financial status
  - To enable us to provide mandatory training and voluntary training where necessary
  - To perform checks in connection with enrolment onto courses and training which may include obtaining references, details about prior professional qualifications and academic checks, DBS checks, Criminal offence and conviction data from Police, Visas, Right to Work in the UK (for Apprentices),
  - To enable us to distinguish between home and international Classroom Learners by origin, to obtain the numbers of Classroom Learners who live in particular countries and elsewhere abroad and to calculate participation rates and to monitor cross border data flow.
  - To enable us to fulfil our obligations in relation to the provision of Special Education Needs support for example, participating in Educational Health Care Plans and meetings, providing additional Learning Support and carrying out risk assessments in connection with any needs under the Equality Act 2010.
  - To provide access to London Learning Consortium Systems
  - To provide a safe and secure place of study and workplace through provision of Health and Safety, Safeguarding services and additional learning support
  - To enable us to carry out safeguarding risk assessments for applicants and current Classroom Learners
  - To take photographs for the purpose of providing a Student ID card
  - To record entry and exit to our buildings/campuses
  - To use CCTV recording and photographic images for safety and security purposes

- To assist in the detection, investigation and prevention of crime
- To comply with our Data Subject Access Request and Individuals' Rights obligations under the GDPR
- To produce exam and achievement certificates, exam timetables and registration and administration of exams, academic qualifications, awards, and accreditations
- In connection with student and/or employee complaints, disputes, grievance, disciplinary and malpractice investigations.
- To provide details of eligible Classroom Learners to the Student Union in accordance with the Code of Practice relating to the Student Union
- In connection with Alumni Membership and fundraising initiatives
- To assist with outreach and widening participation initiatives
- Statistical and research purposes to;
- monitor Equality and Diversity
- inform the development of student and apprentice recruitment and retention policies
- collate data collection/statistical returns to the other funding bodies
- validating/awarding bodies and partnership agreements
- To enable us to share personal data where required with the ESFA and other services run by the ESFA, DfE and partner organisations - see Data Sharing below, (where the law allows it or they have a legal obligation to do so) will be used for the purposes of:
  - Administration for example to enable the Learning Records Service (LRS) to issue you with a Unique Learner Number (ULN)
  - Submission of individualised learner records (ILRs). The data collected is used to calculate funding due to FE providers, for performance monitoring, future planning and to ensure that public money is being spent in-line with government and funding body targets.
  - Provision of career and other guidance
  - Statistical and research purposes, relating to education, training, employment and well-being prevention or detection of crime

### Our lawful basis for using this data.

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Comply with a legal obligation
- Comply with a contractual obligation
- Carry out a task in the public interest
- Less commonly, we may also use personal information about you where;
- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)
- We have legitimate interests in processing the data

The purpose of processing this data is to enable London Learning Consortium to:

- Establish and maintain effective governance
- Meet statutory obligations
- Facilitate a safe environment and as part of our safeguarding obligations
- Undertake equalities monitoring
- Ensure that appropriate access arrangements can be provided for those who require them

The majority of the processing we carry out in relation London Learning Consortium is necessary to comply with various legal and contractual requirements such as:

#### **Employment**

- HMRC Income Tax and National Insurance Requirements ([www.gov.uk](http://www.gov.uk))
- Public Liability Insurance

#### **Health and Safety**

- Health and Safety at Work etc. Act 1974 (and associated regulations and codes of practice)
- Equality Act 2010

#### **Safeguarding/Education**

- Prevent Duty
- Section 175 of the Education Act 2002
- Further and Higher Education Act 1992
- Higher Education and Research Act 2017
- 'Keeping children safe in education Statutory guidance for schools and colleges' Guidance ([www.gov.uk](http://www.gov.uk)) and adult safeguarding guidance

**Where you have provided us with consent to use your data, you may withdraw this consent at anytime.**

We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify our use of your data.

Where we ask you for information for which we do not have a contractual or legal basis for processing, we will either tell you about the legitimate basis for processing or obtain your consent.

#### **How we store this data.**

We are required to retain some information in accordance with statutory retention guidelines, for example, Health and Safety records and financial records. Personal data is stored and retained in accordance with our Information Records Management Policy and Retention Schedules.

We maintain files to store personal information about our Service Users. The information contained in these files is kept secure and is only used for purposes directly relevant to your work with London Learning Consortium.

When your course or apprenticeship has ended, we will retain and dispose of your personal information in accordance with our Information Records Management Policy and Retention Schedules.

**Please note:** Classroom Learners are required to regularly delete unnecessary emails from their Inbox(es), Sent Items and Deleted Items Folder and LLC network drive folders. Documents containing personal data should be disposed of securely, there are confidential waste bins available for this purpose.

### Your duty to inform us of changes.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes whilst you are studying with us or are on an apprenticeship or work placement organised by us.

### Use of Text, LLC, and Personal Email Addresses

To enable us to comply with our data protection responsibilities, our main form of communication for London Learning Consortium Classroom Learners will be through their London Learning Consortium email issued, student portal and other student platforms.

This is to ensure that we can effectively manage the security of those communications and ensure that storage is in line with our retention schedule.

Personal emails and text messages via individual or targeted group messages will be used for general information messages and other specific purposes where we have a legitimate basis for doing so e.g., marketing and course progression, exams information, course enrolment and chasing outstanding debts or overdue payments from Classroom Learners who are no longer registered with the consortium, wherever possible, using London Learning Consortium Central Text Systems.

Otherwise, the use of personal email addresses and mobile numbers will only be used where;

- There are attendance or progress issues and the student or apprentice is unlikely to access their London Learning Consortium issued email account; or
- During the application process before they are issued with an email account; or
- When a student or apprentice has left the consortium and no longer has access to the email account;
- Where a Student or Apprentice has not been issued with an LLC email account during their apprenticeship or course;
- There is an emergency and failure to do so could be a health and/or safety issue.

It is therefore extremely important that Classroom Learners and apprentices log into their consortium email accounts and student portal regularly so that they do not miss any important

information about their course or apprenticeship. Classroom Learners are strongly advised to delete emails from their email Inbox(es), Sent Items and Deleted Items regularly and not to use the email account auto forward feature to forward emails to your own personal email should not be used.

## Social Media

Classroom Learners and Apprentices should take care when posting personal information on London Learning Consortium Social Media platforms such as twitter and Facebook as posts can be shared publicly and we may have no control over your personal data.

## Use of your personal information for marketing purposes

Where you have given us consent to do so, we may send you marketing information to your personal email and/or LLC email account or text promoting events, campaigns, charitable causes or services that may be of interest to you. You can "opt out" of receiving these texts and/or e-mails at any time by clicking on the "Unsubscribe" link at the bottom of any such communication, or by contacting the [info@londonlc.org.uk](mailto:info@londonlc.org.uk)

## Data sharing

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.

To enable us to comply with our legal and contractual obligations, we may at times need to share some of your personal information (and in some instances special categories of data) within and outside the organisation as follows:

- Parent/Carer/Legal Guardian or other family member or associate or representative Classroom Learners and apprentices choose to nominate as a contact or emergency contact. If you are under 18 we will share details of your education with those who have parental responsibility for you *unless you notify us of a valid reason why we should not do this or we have been advised by our Safeguarding Team, Social Services or other official agency of a reason not to do so*; the details will include behaviour, attendance, academic progress, learner support, wellbeing and other details required to keep you safe whilst you attend course(s) with us. *Please note: We will not discuss the application process with anyone other than the prospective student, traineeship or apprentice unless you have given us consent to do so or, you are below the legal school leaving age or are of an age that requires parental consent.*

This means that without consent we cannot discuss the application status, offers, interview details etc. with Parents/Carers/Legal Guardians or other family members or associates or representatives unless the student or apprentice applicant has requested this during the application process or the prospective student or apprentice is of legal school age and there is a data sharing agreement in place with the local authority or other agency or body.

- Local and Combined Authorities/Social Care Teams/Virtual Schools
- Local Safeguarding Boards, Local Authority Designated Officer, Police, Social Care, Health, Youth Offending Team and sometimes voluntary agencies for child protection and safeguarding purposes or in relation to Public Protection.
- Police and Enforcement Agencies – to assist in the detection, investigation and prevention of crime this includes the Courts and Coroner Service, please note that we will provide where requested student names, addresses, contact details, next of kin or parent/carer/legal Guardian details and confirmation of attendance as part of routine police enquiries or as part of any Police liaison agreement. Any details other than these will only be provided on receipt of a signed Police/Enforcing Body Disclosure Request unless the urgency of the incident requires immediate disclosure.
- Professional advisers, partner, and support agency representatives e.g., career services, social workers and medical professionals, voluntary and charitable organisations and in connection with other programmes and initiatives
- Trade, employers, education institutions and professional organisations in connection with reference requests and sharing of information in relation to courses funded by employers, placements, work experience, career opportunities and outreach and widening participation initiatives
- To enable us to move you to another education provider in the event of a change of Contracted or Sub-Contracted education provider.
- Within the organisation to help us provide support to vulnerable learners and those who may benefit from additional support
- Within the organisation where necessary to enable us to meet statutory requirements and funding requirements
- Sharing of exam timetables and other relevant information internally and with Classroom Learners and others at the student's request
- Emergency services in the event of an emergency
- Health and Safety Executive – to report accident information/investigation purposes
- Main school/Pupil Referral Unit - we will share details regarding attendance and behaviour if you attend as part of an off school site provision
- Trade Unions/Governors/validating and examining bodies, insurers/legal representatives, professional bodies - details may be shared in connection with student and/or employee complaints, disputes, grievance, disciplinary and malpractice investigations
- Educators, examining bodies, other validating and awarding bodies in connection with registration, administration, and moderation in relation to examination and awarding qualifications, awards and accreditations
- As an examination centre we must provide candidate personal data (name, date of birth, gender) to the awarding bodies for the purpose of examining and awarding qualifications, and that such personal data, together with the examination results and outcomes of any reviews of marking, reviews of moderation and appeals may be shared within London Learning Consortium Group.

- External Education/Training and Travel Providers for booking and administration purposes
  - Student Union for the purposes of administering Student Union Membership and access to Student Union services
  - Suppliers and 3<sup>rd</sup> party data processors to enable them to provide the service we have contracted.
  - Third parties at your request for confirming your student status, course details and other details as required.
  - Disclosure and Barring Service – to obtain a DBS check to check for criminal convictions and offences (certain courses and placements require DBS checks to be carried out before we can place you with certain employers for apprenticeships or placements
  - In connection with DSAR requests (Data Subject or Authorised Representative) e.g. information which may be contained within emails, documents, systems, paper and electronic records/filing systems and other forms of media, this may include email address(es), contact details and also the disclosure of information of which you were the author or to which you have contributed. This includes deleted and archived personal information which is still accessible.
  - Information Commissioner's Office (ICO) (complaints/breaches investigations)
  - Internal and External Auditors (e.g. Financial Accountants/HMI Inspectors)
  - Education, Government departments and agencies for audits, reviews, to comply with legal, funding and data collection requirements e.g. research/analysis/statistics/equality & diversity, benchmarking purposes e.g.
  - Office for National Statistics ([www.ons.gov.uk](http://www.ons.gov.uk))
  - Office for Classroom Learners (OfS) ([www.officeforClassroomLearners.org.uk](http://www.officeforClassroomLearners.org.uk))
  - Higher Education Statistics Agency [www.hesa.ac.uk](http://www.hesa.ac.uk)
  - Department for Work and Pensions [www.gov.uk/dwp](http://www.gov.uk/dwp)
  - Education Skills and Funding Agency (ESFA) including the English European Social Fund (ESF), the ESFA share this information with the following organisations:
    - Office for Standards in Education (Ofsted) [www.gov.uk/ofsted](http://www.gov.uk/ofsted)
    - Institute for Apprenticeships [www.instituteforapprenticeships.org](http://www.instituteforapprenticeships.org)
    - Learning Records Services (LRS) [www.gov.uk/lrs-organisation-portal](http://www.gov.uk/lrs-organisation-portal)
    - Individual Learner Records (ILR) [www.gov.uk/individualised-learner-record-ilr](http://www.gov.uk/individualised-learner-record-ilr)
    - National Careers Services [www.gov.uk/career-skills-and-training](http://www.gov.uk/career-skills-and-training)
    - Other educational institutions and organisations performing research and statistical work on behalf of the Department for Education, or partners of those organisations
    - The ESFA, ESF and other key service departments may wish to contact you directly about courses or learning opportunities and for survey and research purposes. We will ask you to confirm your acceptance to this during the enrolment process, *you can withdraw your consent at any time.*
- Further information is available through [www.gov.uk/government/publications/esfprivacy-notice](http://www.gov.uk/government/publications/esfprivacy-notice).

## Third Party Processors and transferring data internationally.

Where we use Third Party Processors or transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

## Disclosure and Barring Service (DBS) Checks

For certain courses and placements, we will require a Disclosure and Barring Service (DBS) or similar check for non-UK Classroom Learners and apprentices to be carried out, this check helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. We will let you know if this applies to your course or placement.

## Your Rights.

Under the General Data Protection Regulation, you have various rights in relation to your personal information:

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision

making and profiling

Please note, exemptions may apply when making a request to exercise your rights, for example where we have to retain or process information for legal purposes. For more information visit [www.ico.org.uk/your-data-matters](http://www.ico.org.uk/your-data-matters).

## Your other rights regarding your data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- In certain circumstances, have inaccurate personal data corrected, deleted, or destroyed, or restrict processing. *For routine requests for change information you have provided us with in connection with your course such as name, address, contacts details and emergency contact details, please contact [info@londonlc.org.uk](mailto:info@londonlc.org.uk)*
- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than a person)
- Claim compensation for damages caused by a breach of the data protection regulations
- To exercise any of these rights, please contact [Data Protection Officer](#). Further information.

## How to access the personal information we hold about you.

Individuals have a right to make a 'Data Subject Access Request' to gain access to personal information that we hold about them. Please refer to our GDPR FAQs on our website

## Concerns

We take your concerns and any complaints about our collection and use of personal information very seriously. If you wish to query anything within this privacy notice or think that our collection or use of personal information is unfair, misleading, or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

Write to: Data Protection Officer, London Learning Consortium, Christopher Wren Yard, 119 High Street, 1<sup>st</sup> Floor, Croydon, Surrey, CR0 1QG email: [dataprotection@londonlc.org.uk](mailto:dataprotection@londonlc.org.uk).

Alternatively, you can make a complaint to the Information Commissioner's Office: Report a concern online at [www.ico.org.uk/concerns](http://www.ico.org.uk/concerns) or call 0303 123 1113 or write to: Information