



How the College uses personal data for non employed individuals (Privacy Notice)

Introduction

Shipleigh College needs to process personal data in order to function effectively as an organisation. Personal data is collected for individuals who are not employed by the College but are engaged with the College, to meet our legal responsibilities for safeguarding of our learners. This includes contractors, agency staff, guests and volunteers. This notice is aimed at these individuals and their employers (if relevant).

All such personal data shall be collected and held in accordance with the Data Protection Act ('the Act') & General Data Protection Regulations. This privacy notice has been prepared in accordance with the General Data Protection Regulation (EU) 2016/679 (GDPR) and the Data Protection Act 2018.

Our Data Protection Officer is Ian Durham. If you have any questions about this policy or the ways in which we use your personal information, please contact our Data Protection Officer at DPO@shipleigh.ac.uk. Our data controller registration number provided by the Information Commissioner's Office is Z5596380.

This notice sets out how we use the personal information provided to us by the individual or their employer, in particular:

- the information that we collect
- the uses made of this personal information
- the legal basis on which we collect and use this personal information
- how long we keep this personal information
- how we share this personal information
- how we transfer this personal information outside of Europe; and
- the rights over this personal information

THE INFORMATION THAT WE MAY REQUEST

We will collect personal information from the individual or their employer when engagement with the College first starts. This will include, where relevant to the relationship, the individual's: name; address; phone number; email; date of birth; DoF number; NI number; references; criminal record details; Disclosure Barring Service check, including European Economic Area (EEA) check; Check of Barred List/List 99; previous surname(s); type of employment; next of kin and contact details; photo; gender; disqualification information.

HOW WE USE PERSONAL INFORMATION

We will use personal information set out above as follows:

- for safeguarding students;
- for checking their identity and right to work in UK;
- for checking the individual's qualifications;
- to keep an audit trail of the checks we have made;
- for communicating with the individual, including for marketing purposes;

We treat all personal information with confidentiality and we do not use it for any other purposes.

THE LEGAL BASIS ON WHICH WE COLLECT AND USE YOUR PERSONAL INFORMATION

We collect and use the individual's personal information on the basis that it is necessary for our planned relationship, or it is necessary to take steps before engaging the individual with Shipleigh College. We also collect and use this personal information on the basis that we need to do so in order to comply with our legal obligations.

HOW LONG WE KEEP THIS PERSONAL INFORMATION

We will keep this information for 12 months after the end of the relationship. Basic information about an individual (appointment, dates of relationship etc) will be retained indefinitely.

HOW WE SHARE THIS PERSONAL INFORMATION

The College will make some statutory and routine disclosures of personal data to third parties, where appropriate. These third parties include:

- Higher Education Statistics Agency (HESA)
- UK Visas and Immigration
- HM Revenue and Customs (HMRC)
- Trade unions
- Disclosure and Barring Services
- Cintra Payroll Services
- Potential employers (where a reference is requested)
- Benefits Agency as required by the Social Security Administration Act 1992
- Child Support Agency as required by the Child Support Information Regulations 2008 (no.2551)
- Ofsted

- the right, in certain circumstances such as where we no longer need the personal information, to request that we restrict the use that we are making of the personal information;
- the right, in certain circumstances, to ask us to review and explain our legitimate interests; and
- the right, where our use of personal information is carried out for the purposes of an agreement with us and is carried out by automated means, to ask us to provide the individual with a copy of their personal information in a structured, commonly-used, machine-readable format.

Personal data may also be disclosed when legally required or where there is a legitimate interest, either for the College or for them as the data subject, taking into account any prejudice or harm that may be caused.

The College may also use third party companies as data processors to carry out certain administrative functions on behalf of the College (e.g. outsourcing the disposal of confidential waste to an external company). If so, a written contract will be put in place to ensure that any personal data disclosed will be held in accordance with the Data Protection Act.

HOW WE TRANSFER YOUR PERSONAL INFORMATION OUTSIDE OF EUROPE

We do not store or transfer this personal data outside of Europe.

THE RIGHTS OVER THIS PERSONAL INFORMATION

The individual has a number of rights over their personal information, which are:

- the right to make a complaint to the Information Commissioner's Office (ICO) if they are unhappy about the way their personal data is being used – please refer to the ICO's website for further information about this (<https://ico.org.uk/>);
- the right to ask us what personal information about them we are holding and to have access to a copy of their personal information;
- the right to ask us to correct any errors in the personal information;
- the right, in certain circumstances such as where our use of the personal information is based on the individual's consent and we have no other legal basis to use the personal information, to ask us to delete the personal information;