

## **KSVN Privacy Statement – staff & students**

This Statement explains how we will collect and use your personal data. We are the data controller for personal data that we process about you.

We process your personal data in accordance with the General Data Protection Regulation (GDPR).

The Data Protection Officer for KSVN is Caroline George.

### **Where do we get data about you from?**

We obtain data about you from you when you provide us with details at open days, meet you at the practice and when you register with us as a student, clinical coach etc. We also obtain data about you from your employer. For staff, we collect data about you for interview and when offering a position.

Under the GDPR some of the data we collect about you may be categorised as “special categories of data” such as information about your racial or ethnic origin, religious beliefs or other beliefs, physical or mental health. We ask for this information so we can map the students & needs in our cohorts, to complete authorised records for you (e.g. registers for Apprenticeship funding), for EdI support and also to ensure we can identify any special needs. For staff, this is for staff recruitment, EdI & wellbeing awareness but also for salary payment purposes.

### **Sharing of this data**

Further Education - KSVN collects data on behalf of the Education and Skills Funding Agency (ESFA), for the purposes of fulfilling the Secretary of State’s statutory functions, as set out in the Apprenticeships, Skills, Children and Learning Act 2009 and for the exercise of functions of the Crown, a Minister of the Crown or that government department.

The information you supply is used by the Education and Skills Funding Agency, an executive agency of the Department for Education (DfE), to issue you with a Unique Learner Number (ULN) and to create your Personal Learning Record, as part of the functions of the DfE. For more information about how your information is processed, and to access your Personal Learning Record, please refer to:

<https://www.gov.uk/government/publications/lrs-privacy-notice>

Information provided by students may be shared with other organisations for purposes of administration, the provision of career and other guidance and statistical and research purposes, relating to education, training, employment and well-being. Other organisations include government departments and local government, educational institutions and organisations performing research and statistical work on behalf of the Department for Education, or partners of those organisations.

For staff – data may be shared with our sub-contractor partners, the local education authority or Department for Education.

### **Data Protection Policy**


Please read this document if you wish to review further information.

## Security of your personal data

The security of our IT systems which process and store data is securely managed & are regularly reviewed in accordance with Government requirements, and assessments and checks promoted by the Information Commissioner's Office. Data is securely deleted when it is no longer required for the purposes collected.

## Your rights as a data subject

Here are your rights under GDPR. You have the right to:

- withdraw consent where that is the legal basis of our processing;
- access your personal data that we process; 
- rectify inaccuracies in personal data that we hold about you;
- be forgotten, that is your details to be removed from systems that we use to process your personal data;
- restrict the processing in certain ways;
- obtain a copy of your data in a commonly used electronic form;
- object to certain processing of your personal data by us.

Please see <https://ico.org.uk/> for further information on the above rights.

You may also contact the Data Protection Officer for further information.

You have a right to complain to the Information Commissioner's Office about the way in which we process your personal data. Please see <https://ico.org.uk/>

## Legal basis for processing your data under GDPR

We present our view on the grounds for processing against each specified purpose. As legal views mature the College may change its views on its legal basis for processing.

## Examples of when / why we process your data:

Table 1

GDPR Article	Description
Article 6 (1)(a) - Consent	On specific occasions KSVN will only process certain data if you consent, e.g. at enrolment you only need to provide certain "special categories" of data if you agree to that.
Article 6 (1)(b) - necessary for the performance of your student contract	On many occasions KSVN will process your data to enable it to meet its commitments to you, e.g. those relating to teaching and assessment.
Article 6 (1)(c) - necessary to comply with a legal obligation	KSVN has legal obligations to provide your personal data to others e.g. ESFA

Article 6 (1)(d) - for the purpose of protecting the vital interest of yourself or another	To protect your interests or the interests of others in extreme situations, e.g. in medical emergencies, the College will release information.
Article 6 (1)(e) - processing necessary for the performance of a task carried in the public interest	KSVN is an educational establishment and its educational activity is conducted in a public interest (including your interest and the interest of others)
Article 6 (1)(f) - processing is necessary for the purposes of the legitimate interest of the College or a third party subject to overridden interests of the data subject	KSVN can use legitimate interest in providing or supporting the provision of education to its students. Our interests must not override the interests or fundamental rights and freedoms of students.
Article 22 (2)(a) - automated decision making necessary for performance of a contract	KSVN will sometimes automate decisions relating to its services it is providing to you.
Article 9 (2)(a) - processing “special categories” of data where you have given consent	The College will process certain sensitive information about you with your consent
Article 9 (2)(f) - processing “special categories” of data in connection with legal claims	
Article 9 (2)(g) - processing “special categories” of data where necessary for reasons of substantial public interest.	

It is recognised that some of the above grounds will overlap and that KSVN could rely on multiple grounds justifying its lawful processing. KSVN also reserves the right to rely upon other grounds that are not referred to under Table 1.

Table 2 – Retention periods

Category	Retention justification	Period
Student Records including academic achievement and conduct	Limitation period for negligence ESFA/ESF contract	At least 6 years from the date the student leaves the college. At least 10 years or until 2030 for those records where funding from the European Social Fund (ESF) has been received by KSVN or the Education & Skills Funding Agency (ESFA).
2014 to 2020 European Social Fund (ESF) programme regarding student enrolment, attendance and achievement data	Legal obligation	31 Dec 2030

Additional Learning Support data, including Education Health and Care Plan documentation	SEND Code of Practice	7 years
Student DBS disclosure for information relating to criminal records	Legal requirement / risk assessment outcome	6 years
Financial data	HMRC requirement	7 years
Student support data on Children in Care, Care Leavers and Young Unaccompanied Asylum Seekers	Legal obligation	Indefinitely
ProMonitor - To record participation, disciplinarys & interventions	Safeguarding & duty of care	8 years
Safeguarding concerns	Legal obligation	Duration of the investigation and indefinitely, if legally required
Student trips information, including medical and passport.	Limited period for personal injury claims and safeguarding	Duration of the trip for emergency contact details
Student externally moderated assessments	Awarding Body & Regulatory Body requirement	5 years post certification date
Records & reports of accidents	Limited period for personal injury claims – H&S	3 years
Staff DBS checks	Safeguarding legislation	Renewed every 4 years
Staff RVN details	Awarding Body & Professional Regulatory Body	Ongoing

### Contact details

If you have any concerns relating to Data Protection matters please contact Caroline George on 07547 957259 or email [caroline@ksvn.co.uk](mailto:caroline@ksvn.co.uk)

Our general email address is [info@ksvn.co.uk](mailto:info@ksvn.co.uk)

Our data controller registration number provided by the Information Commissioners Office is: ZA307761