



## PRIVACY NOTICE

Derby College Group (“DCG”) relates to all provision within Derby College Group and any of its commercial entities which are governed by the Derby College Corporation, along with any subsidiary companies.

This Privacy Notice describes what Derby College Group does with the personal information you provide it with.

It applies to information the Derby College Group collects about

- Visitors to the Derby College Group’s websites
- People who use or may use the Derby College Group’s services. This includes for example:
  - individuals who undertake a course of study through the Derby College Group
  - Derby College Alumni
  - employers who purchase training from the Derby College Group
  - employers who take a student on work experience or placement
  - employers who employ an Apprentice
  - Members of the Derby College Group workforce
  - Individuals who are customers of the Derby College Group’s business operations e.g. Sensi Salon, The Equestrian Centre, The Plant Centre at Broomfield, Little Explorers Nursery, and The Florist.
- Individuals who request information from the Derby College Group.

If you are asked to provide personal information to us, it will only be used in the ways described in this Privacy Notice.

If you have any questions about this policy, please contact the Data Protection Officer [dpo@derby-college.ac.uk](mailto:dpo@derby-college.ac.uk) .

**The categories of the information that the College collects, holds and shares includes, but is not limited to:**

- Personal information (such as name, student number, address, date of birth, national insurance number)
- Contact information (which may include phone number, email and postal address)
- Educational Information (including qualifications, predicted grades, learning support needs, attendance information – number of absences and reasons and individual achievements)
- Characteristics (such as gender and if the same as at birth, age, ethnicity, first language, nationality, country of birth and free school meal eligibility)
- Financial information (bank details) where relevant
- Information about personal preferences and interests

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- Company information, (financial, employee, professional development records)
- Website usage data.
- Employee contract information (start dates, hours worked, post, roles and salary information, annual leave entitlement, employment history and professional development).

### How we use this data

Your personal information will be used for purposes relating to education, training, employment, general advice services, well-being and research. The College may share non-sensitive personal information about you with other organisations.

Information may be passed to Government agencies (including but not limited to the Education and Skills Funding Agency) to meet funding arrangements. Where necessary it is also shared with the Department for Education (DFE).

The information is used for the exercise of functions of these Government departments and to meet statutory responsibilities, including under the Apprenticeships, Skills, Children and Learning Act 2009. It is also used, in collaboration with the appropriate organisations, to create and maintain a unique learner number (ULN) and a Personal Learning Record (PLR).

It is used by the Derby College Group to:

- to process applications, enrolments and workforce development programmes and contracts
- for Derby College Group's own internal records so that it can provide a high-quality service
- to contact individuals in response to a specific enquiry
- to customise Derby College Group's services so they work better for individuals
- to contact individuals about services, products, offers and other things provided by the Derby College Group, which it thinks may be relevant
- to contact individuals via e-mail telephone or mail for research purposes
- At no time will the Derby College Group assume permission to use information that is provided for anything other than the reasons stated in this privacy notice

The information provided 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 safeguarding. This will only take place where the sharing is in compliance with UK GDPR and the Data Protection Act 2018.

Individuals may be contacted after they have completed their programme of learning to establish whether they have entered employment or gone onto further training or education. In addition, following that initial contact and information gathering exercise, individuals will be offered the opportunity to join the DCG alumni network.

Individuals may be contacted by the European Social Fund (ESF) Managing Authority, or its agents, to carry out research and evaluation to inform the effectiveness of the programme. Information may be passed to the ESF for this purpose.

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Further information about use of and access to personal data, and details of organisations with whom the data is regularly shared are available at:

ESFA Privacy Notice

[ESFA privacy notice - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/esfa-privacy-notice)

ILR Privacy Notice

<https://guidance.submit-learner-data.service.gov.uk/23-24/ilr/ilrprivacynotice>

LRS Privacy Notice

[LRS privacy notice - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/lrs-privacy-notice)

JCQ (Joint Council for Qualifications) Privacy Notice (Awarding Bodies)

[Information-for-candidates-Privacy-Notice-10.doc.pdf](#)

Derby College Group has identified that it meets a number of lawful basis for processing (as set out in Article 6 of the UK GDPR). In summary:

- For processing enquiries and applications to the College the lawful basis is legitimate interest.
- For processing information relating to and individuals programme of study the lawful basis is legitimate interest and may also be linked to a contract.
- For gathering information about the destination of an individual once they have left the College the lawful basis is legitimate interest.
- For contacting individuals who have completed a course at the College (Alumni) the lawful basis is consent.

## Security

The Group takes a robust approach to protecting the information it holds. This includes the installation and use of technical measures including firewalls and intrusion detection and prevention and regular assessment of the technical security of Group systems. Group staff monitor systems and respond to suspicious activity.

Alongside these technical measures there are comprehensive and effective policies and processes in place to ensure that users and administrators of Group information are aware of their obligations and responsibilities for the data they have access to.

The College has been awarded Cyber essentials plus certification. Cyber Essentials Plus is the highest level of certification offered under the Cyber Essentials scheme. It is a more rigorous test of an organisation's cyber security systems where our cyber security experts carry out vulnerability tests to make sure that an organisation is protected against basic hacking and phishing attacks.

## Information Sharing and Disclosure

Derby College Group does not sell or rent personal information.

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Information may, by necessity, be disclosed to appropriate employee members of Derby College Group and to government bodies (as previously outlined).

Organisations that Derby College Group may share personal information with includes:

- Awarding Bodies
- BKS
- Collegeip
- Cognassist
- Companies House
- Department for Education
- DWP
- East MidlandsTrains
- Education and Skills Funding Agency
- Employers
- ESF
- HMRC
- Higher Education Institutions
- Learning platforms
- Local authorities (For example: Derby City Council, Derbyshire County Council, Nottingham City Council)
- Mailchimp
- Nurseries and pre-schools
- Office for Students (Graduate Outcomes)
- Ofsted
- Pension Service
- Police
- Schools
- Social Care
- Sub-contractors
- Think Alumni
- UCAS

Information may be shared with third parties if it is in connection with the service being provided to individuals, for example, Derby College Group might share information with market research companies contracted to undertake work on its behalf to assess satisfaction with Derby College Group's service. When Derby College Group does this it will always ensure an Information/Data Sharing Agreement is in place.

Screening information may also be shared with potential employers where a student/individual is applying for an apprenticeship position through our Apprenticeship provision.

If, as part of the entry requirements for a course or if an individual is applying for employment with Derby College Group, the College needs to take up a reference or obtain 'disclosure' from the Disclosure and Barring Service, it will inform you beforehand.

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Parental consent is not required. There may be exceptions in regards of students with severe learning difficulties, school link students and those who are otherwise unable to decide for themselves.

Derby College Group has found that it is very beneficial to the young person's progress as a student if the College is able to engage with the parents (or guardian/carer). Therefore, it is very important that we have the parents' details recorded on its systems.

If you are under 18 we will contact your parent(s) or legal guardian throughout your time with us to share progress. We will also contact them if you experience any problems at college or if there are any issues with your attendance.

If a student has any concerns about disclosing this information to a parent/guardian, please contact [DPO@derby-college.ac.uk](mailto:DPO@derby-college.ac.uk) and we will ask a member of the Safeguarding team to contact you.

### **Photographs/Video**

Occasionally, Derby College Group may take photographs of students or visitors. The College may use these images in our prospectus or in other printed publications that we produce, as well as on our website. The College may also make video or webcam recordings for conferences, monitoring or other educational use.

From time to time, Derby College Group may be visited by the media who will take photographs or film footage of a visiting dignitary or other high profile event. Students will often appear in these images, which may appear in local or national newspapers, or on televised news programmes.

To comply with the Data Protection Act 2018 and UK GDPR, Derby College Group will ask for consent before photographing or making any recordings.

### **Audio/Video Recording**

The Data Protection Act classifies audio/video recording as a form of data processing, as recorded conversations have the potential to capture personal information, including names, addresses, financial details, religious beliefs, and medical records.

Meetings or lessons are only recorded for the following purposes:

- a) The purpose is to deliver online lessons. In this scenario, lessons can be recorded for use by students as it is in the legitimate interest of Derby College Group for students to have access to this resource and for teaching staff for reference, reflection, and safeguarding purposes.
- b) The purpose is to conduct a one to one online meeting with a student. The meeting should be recorded for safeguarding purposes. This is in accordance with the Derby College Group Safeguarding Policy.

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- c) The purpose is to enable teaching staff and assessors to carry out professional discussions with students as an evidence method to demonstrate student competency whilst working towards a qualification.
- d) The purpose is to support, develop and enhance the learning experience of Derby College Group staff or students such as inductions, projects and training.
- e) The purpose is for a Manager or nominated member of staff to communicate key messages to their team. In this scenario, the relevant section of the call can be recorded and disseminated to members of the team as it is in the legitimate interest of DCG for employees to have access to any key communications they may have missed.
- f) The purpose is to capture discussion and planning with employers, to share with invited attendees who may be unable to attend the meeting, and to assist with accurate minutes. An example of this would be collaborative boards/meetings such as the Employment and Skills Boards.

If it is decided that a recording can be made, the following guidelines are adhered to:

- a) The parties involved in the meeting or conversation are made aware that it is being recorded (preferably prior to the recording to give them notice) or is going to be recorded.
- b) The reason or purpose for recording is stated and made clear.
- c) Only Derby College Group equipment and approved systems are used for recording.
- d) Any smart speakers are switched off (Alexa etc).
- e) The recording/s are only used for the purpose made clear prior to or at the start of the recording.
- f) in accordance with the Derby College Group's Policy on Intellectual Property Rights in general where staff make a recording, all rights in that recording (including rights in the sounds made) will belong to Derby College Group.
- g) The recording is not shared with any third party for use without prior knowledge of the parties involved in the recording and with their explicit consent.
- h) The recordings are stored securely in line with DCG policies and procedures.
- i) The recordings are deleted when they are no longer required or of use.

### **CONSENT REFUSAL**

If someone refuses to consent to the audio recording then the recording will either not be made, or their contribution to the recording will be removed or blocked out.

### **Audio/Video Recording of Lessons**

Derby College Group makes available lessons in some teaching spaces and for certain events. In this context, this means 'the live recording of a taught session to create a resource that can be used for education purposes'.

There are a number of educational benefits to recording lessons, for example, improved accessibility and enabling multiple reviews.

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These audio and video recordings will capture some personal data of the tutor/assessor and, potentially, of people attending the lesson or event. This notice explains how the college will use this information. We will revisit this notice and amend if our use of personal data changes in any way.

The following types of personal data may be captured during a recording:

Voice

Image (in video recordings)

Personal opinions

Actions taken or contributions made (e.g. audience participation)

The software may record personal data of the teacher/assessor, student or other person attending a lesson or event.

As this method is primarily being used as a teaching tool, it is not intended that these recordings should be used to record sensitive or special categories of data.

Recordings relating to taught material will be made available to registered Derby College Group students.

We will not normally share these recordings with any other party. Any specific requests from a third party for us to share your personal data with them will be dealt with in accordance with the provisions of the data protection laws.

Derby College use Microsoft Teams to provide the recording of lessons.

<https://privacy.microsoft.com/en-gb/privacystatement>

### Visitors to website

When someone visits [www.derby-college.ac.uk](http://www.derby-college.ac.uk) Derby College Group collect standard internet log information and visitor details of behavior patterns. It does this to find out things such as the number of visitors to the different parts of the site. It collects the information in a way which does not identify anyone. If it does want to collect personally identifiable information through its website it will be up front about this and will make the purpose clear.

### Use of Cookies

A cookie is a small file placed on a computer's hard drive. It enables the College's website to identify a computer as individuals views different pages on its website.

Cookies allow websites and applications to store preferences in order to present content, options or functions that are specific to individuals. They also enable the College to see information like how many people use the website and what pages they tend to visit.

All cookies used by this website are used in accordance with the current Privacy and Electronic Communications (EC Directive) Regulations 2003 as amended by the Privacy and Electronic Communications (EC Directive) (Amendment) Regulations 2011.

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Cookies do not provide Derby College Group with access to an individuals' computer or any information about them, other than that which they choose to share.

Individuals can use their web browser's cookie settings to determine how Derby College Group's website uses cookies. If an individual does not want Derby College Group's website to store cookies on their computer or device, they should set their web browser to refuse cookies. However, please note that doing this may affect how Derby College Group's website functions. Some pages and services may become unavailable to the individual.

Unless an individual has changed their browser to refuse cookies, Derby College Group's website will issue cookies when it is visited.

### **Controlling Information about Individuals**

When individuals fill in a form or provide their details on the Derby College Group's website, there may be one or more tick boxes allowing them to:

- opt in to receive marketing communications from Derby College Group by e-mail, telephone, text message or post
- opt in to receive marketing from third party partners by e-mail telephone, text message or post
- If individuals have agreed that Derby College Group can use their information for marketing purposes, individuals can change their mind easily, via one of these methods:
  - send an e-mail to [dpo@derby-college.ac.uk](mailto:dpo@derby-college.ac.uk)
  - write to us – The Data Protection Officer, Derby College Group, the Roundhouse, Roundhouse Road, Pride Park, Derby. DE
  - unsubscribe by clicking the link in each email

Any individual can request that Derby College Group delete their personal data. This request for erasure can be made by e-mailing the Data Protection Officer at [dpo@derby-college.ac.uk](mailto:dpo@derby-college.ac.uk). Whilst the Data Protection Act 2018 doesn't provide an absolute right to have your personal information deleted by an organisation (for example they do not need to delete personal information if they are obliged to keep it by law or have another legitimate reason to keep it, Derby College Group will review each request for erasure and it will be assessed on a case by case basis.

### **Links from the College Website**

The Derby College Group website may contain links to other websites. Please note that the Derby College Group have no control of websites outside of [www.derby-college.ac.uk](http://www.derby-college.ac.uk). If an individual provides information to a website to which the Derby College Group links, it is not responsible for its protection and privacy. Individuals are advised to read the privacy policy or statement of other websites prior to using them.

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## People who use Derby College Group services

Derby College Group hold the details individuals provide in order to deliver programmes of study, Apprenticeships, workforce development programmes and other services which meet specific needs.

It only uses these details to provide the service an individual has requested and for other closely related purposes. For example, it might use information about people who have enquired about a course to carry out a survey to find out if they are happy with the level of service they have received, or it might use information about an employer offering a student work experience to contact them about a new Apprenticeship scheme or grant.

Information may, by necessity, be disclosed to appropriate employee members of the Derby College Group and to government bodies [to fulfil the College's statutory responsibilities] such as the Education and Skills Funding Agency, Ofsted, the Department for Education and auditors or to local partners.

## People who use Derby College Group's business enterprises

If someone is a customer of a commercial service of Derby College Group e.g. the Sensi Salon, the information an individual provides Derby College Group with to enable them to deliver that service will only be held and used for that purpose or for other closely related purposes.

## People who request information from Derby College Group

If an individual requests information from the Derby College Group by letter, telephone, email, submitting an enquiry card or from a sales appointment, Derby College Group will make a record of that enquiry and will use the information to provide the individual with a response. It will only use the information for these purposes and to provide a follow up service to ensure that it provided the individual with what they asked for.

## Retention

We retain records in line with our Records Management and Archiving Policy and the JISC Record Retention Management Guide:

<https://www.jisc.ac.uk/guides/records-retention-management>

## Accessing Your Own Personal Information

Individuals have the right to ask for a copy of any of their personal information held by Derby College Group. They can make a 'subject access request' under the Data Protection Act 2018/UK GDPR.

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information please visit [www.derby-college.ac.uk/gdpr](http://www.derby-college.ac.uk/gdpr) or email [dpo@derby-college.ac.uk](mailto:dpo@derby-college.ac.uk)

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You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If you have a concern or complaint regarding the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

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## Subject Access Requests requesting Examination Results

If a request is made once the exam results have been published, we will aim to respond within one calendar month. If a request is made before the results have been announced and published, we will respond within five months of the date of the request; or within 40 days from when the results are published (whichever is earlier). This is in line with the ICO guidelines on exam results: <https://ico.org.uk/your-data-matters/schools/exam-results/>

The easiest way to make a request is to complete the online Subject Access Request Form which can be found on our website at <https://www.derby-college.ac.uk/gdpr>. A hard copy of this form is available on request from Derby College Group. Alternatively, a request can be made directly to the Data Protection Officer at [dpo@derby-college.ac.uk](mailto:dpo@derby-college.ac.uk).

## Complaints or Queries

If there are any questions about Derby College Group's collection and use of personal data, please contact the Data Protection Officer at [dpo@derby-college.ac.uk](mailto:dpo@derby-college.ac.uk).

If you have a concern about the way Derby College Group has handled or is handling your personal information, or you wish to make a complaint because we have not complied with our obligations, you can make a complaint to the Information Commissioners Office (ICO). You should raise your concerns with within three months of your last meaningful contact with the Derby College Group. Details of how to do this are on the Information Commissioners Office website: <https://ico.org.uk/concerns/handling>

**By post:** If your supporting evidence is in hard copy, you can print out the form and post it to the ICO (with your supporting evidence) to:

Customer Contact  
Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
SK9 5AF

## Privacy Notice Changes

Derby College Group will keep this Privacy Notice under regular review and reserve the right to change it as necessary from time-to-time or if required by law. Any changes will be immediately posted on the website.

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