

Privacy Notice for Customers

Department Responsible:	MIS
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In accordance with the General Data Protection Regulation (GDPR), we have implemented this privacy notice to inform you of the types of data we process about you. We also include within this notice the reasons for processing your data, the lawful basis that permits us to process it, how long we keep your data for and your rights regarding your data.

A) DATA PROTECTION PRINCIPLES

Under GDPR, all personal data obtained and held by us must be processed according to a set of core principles. In accordance with these principles, we will ensure that:

- a) processing is fair, lawful and transparent
- b) data is collected for specific, explicit, and legitimate purposes
- c) data collected is adequate, relevant and limited to what is necessary for the purposes of processing
- d) data is kept accurate and up to date. Data which is found to be inaccurate will be rectified or erased without delay
- e) data is not kept for longer than is necessary for its given purpose
- f) data is processed in a manner that ensures appropriate security of personal data including protection against unauthorised or unlawful processing, accidental loss, destruction or damage by using appropriate technical or organisation measures
- g) we comply with the relevant GDPR procedures for international transferring of personal data

B) TYPES OF DATA HELD

We collect and keep several categories of personal data about you in order to carry out effective and efficient processes. We collect these categories of data at various stages and keep the data in a file relating to each customer.

We collect details from application forms:

- a) personal details such as name and address
- b) contact details such as telephone number and email address
- c) age / date of birth
- d) your gender
- e) nationality and country of residence
- f) marital status
- g) education records to date
- h) academic references
- i) disability declaration
- j) criminal conviction declaration
- k) bank account details
- l) payment rates

We collect data for statutory monitoring and reporting purposes

- a) religious belief
- b) parental occupation and education
- c) sexual orientation
- d) ethnic origin

Further data collected at enrolment or updated during a student's time with the company

- a) home address and next of kin
- b) term-time address
- c) entry and other qualifications
- d) funding, bursary and fee related information
- e) information needed to provide services in relation to disability, wellbeing or any other type of pastoral support
- f) course and stage details
- g) attendance, progress and current status
- h) assessment results
- i) photograph for identification badge
- j) CCTV footage
- k) building access records

Data collected from international students relating to Student Visa to meet UK Visa and Immigration requirements

- a) passport details
- b) visa lifecycle details
- c) data to evidence attendance on course of study

We may also collect and process technical information about your computer, including (where available) your Internet Protocol address, login information, operating system and browser type and version, for system administration purposes and to report aggregate information to other organisations (including our funders).

Additional personal data may be collected by the company (where relevant) in relation to appeals, complaints, disciplinary cases, and other learner services.

C) COLLECTING YOUR DATA

You provide several pieces of data to us directly as part of any service agreement, for example your name and address. In some cases, we will collect data about you from third parties.

Personal data is kept in files or within the company's IT systems.

D) LAWFUL BASIS FOR PROCESSING

The law on data protection allows us to process your data for certain reasons only. In the main, we process your data in order to comply with a legal requirement, in order to perform the contract we have with you or in pursuit of our legitimate interests.

The main purposes for which we collect and process information about learners include:

- to enable us to administer student-related functions from original applications through to graduation and to provide alumni services.
- to plan and account for the use of the services provided.

- to produce information including statistics for relevant external agencies such as The Greater London Authority (GLA), ESFA and SYCMA in order to comply with funding regulations.
- to enable F2L staff to communicate with learners.
- to monitor academic progress over the period of enrolment towards completion of a qualification.
- to carry out assessment, authorise award of qualifications and verification of awarded qualifications post-study.
- to administer student related policies and procedures including appeals, complaints, academic misconduct and general conduct and discipline.
- to provide student support services, including financial, pastoral, sporting, employability and IT/learning resources.
- To issue communications on student benefits and opportunities and company activities or events organised for students.
- to comply with immigration compliance checks in relation to sponsored migrants.
- to monitor, develop and update company systems to ensure they continue to operate effectively and securely.
- to monitor equality and diversity objectives within the company.
- To undertake surveys, market research and statistical analysis to improve the student experience.

E) SPECIAL CATEGORIES OF DATA

Special categories of data are data relating to your:

- a) health
- b) sex/gender
- c) sexual orientation
- d) race
- e) ethnic origin
- f) political opinion
- g) religion
- h) trade union membership
- i) genetic and biometric data.

Most commonly, we will process special categories of data when one of the following applies:

- a) you have given explicit consent to the processing
- b) we must process the data in order to carry out our legal obligations
- c) we must process data for reasons of substantial public interest
- d) you have already made the data public.

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations. However, we may ask for your consent to allow us to process certain particularly sensitive data. If this occurs, you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withdrawn.

F) FAILURE TO PROVIDE DATA

Your failure to provide us with data may mean that we are unable to fulfil our requirements for entering into a contract with you or performing the contract that we have entered into.

G) CRIMINAL CONVICTION DATA

We will only collect criminal conviction data where it is appropriate given the nature of the services we may be providing to you and where the law permits us. This data will usually be collected during enrolment, however, may also be collected during your engagement. We use criminal conviction data to determine your suitability, or your continued suitability for the engagement. We rely on the lawful basis of the performance of a contract and our legitimate interests to process this data.

H) WHO WE SHARE YOUR DATA WITH

Employees within our company will have access to your data which is relevant to their function. All employees with such responsibility have been trained in ensuring data is processed in line with GDPR and data protection laws.

Data is shared with third parties for the following reasons: for the administration of our services, and in order to satisfy company contractual requirements.

We may also share your data with third parties as part of a F2L sale or restructure, or for other reasons to comply with a legal obligation upon us. We will have a data processing agreement in place with such third parties to ensure data is not compromised. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

In cases where we share your data with bodies outside of the European Economic Area, we do so in line with GDPR and data protection laws.

Below are some of the key partners with whom we may share personal data:

- Higher Education Statistics Agency (HESA).
- Funding partners such as colleges, the ESFA and GLA.
- UK Immigration agencies.
- the Student Loans Company in connection with grants, fees, loans and bursaries.
- the courts, the police / other organisations with a crime prevention / law enforcement function.

Other individuals / organisations

- External examiners for examination, assessment and moderation purposes.
- International recruitment consultants and agents.
- The company insurers and legal advisers for the purpose of providing insurance cover or in the event of a claim.
- The Office Of The Independent Adjudicator to review student complaints.
- Employers who request a reference from the company (for relevant students).

I) PROTECTING YOUR DATA

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against such.

J) RETENTION PERIODS

We only keep your data for as long as we need it for, which will be at least for the duration of your engagement with us. For relevant learners, data may be retained for up to 10 years in order to satisfy our contractual obligations relating to external auditing.

K) AUTOMATED DECISION MAKING

Automated decision making means making decision about you using no human involvement e.g. using computerised filtering equipment. No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

L) DATA SUBJECT RIGHTS

You have the following rights in relation to the personal data we hold on you:

- a) the right to be informed about the data we hold on you and what we do with it
- b) the right of access to the data we hold on you. More information on this can be found in our separate policy on Subject Access Requests
- c) the right for any inaccuracies in the data we hold on you, however they come to light, to be corrected. This is also known as 'rectification'
- d) the right to have data deleted in certain circumstances. This is also known as 'erasure'
- e) the right to restrict the processing of the data
- f) the right to transfer the data we hold on you to another party. This is also known as 'portability'
- g) the right to object to the inclusion of any information
- h) the right to regulate any automated decision-making and profiling of personal data.

More information can be found on each of these rights in our separate policy on your rights in relation to your data.

M) CONSENT

Where you have provided consent to our use of your data, you also have the right to withdraw that consent at any time. This means that we will stop processing your data.

N) MAKING A COMPLAINT

If you think your data rights have been breached, you are able to raise a complaint with the Information Commissioner (ICO). You can contact the ICO at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or by telephone on 0303 123 1113 (local rate) or 01625 545 745.

O) DATA PROTECTION COMPLIANCE

Company Details:

Free To Learn
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Free To Learn Data Protection Officer is:

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