

LEARNER PRIVACY NOTICE

INTRODUCTION:

Boston College understands that your privacy is important to you and that you care about how your personal information is used.

We will only collect and use personal data in ways that are described here, and in a way that is consistent with our obligations and your rights under the law.

On the 25th May 2018 the General Data Protection Regulation came into force. This notice sets out how your personal information is collected and processed in accordance with this Regulation and the Data Protection Act 2018. It also explains how you may exercise your legal rights and to whom you may make a complaint.

1. Information About Us

Boston College is a Further Education College.

Our address is as follows:

Boston College
Skirbeck Road
Boston PE21 6JF

Our telephone number is 01205 365701

Our website address is www.boston.ac.uk

Any data protection query should be submitted to Fiona Wrisberg who is our Data Protection Officer. She can be contacted using the above details or by using the following email address: dataprotection@boston.ac.uk

Boston College is a controller for the purposes of GDPR and is registered with the ICO under registration number Z4930852. For the purposes of the Freedom of Information Act 2000 we are a public authority.

We are regulated by the Department of Education and inspected by Ofsted.

2. What is Personal Information

'Personal information' means any information which relates to or identifies you as an individual. Personal data covers obvious information such as your name and contact details, but it also covers less obvious information such as identification numbers, electronic location data, and other online identifiers.

The personal data that we use is set out in Part 4, below.

3. **What Are My Rights?**

Under the GDPR, you have the following rights:

- a) The right to be informed about our collection and use of your personal data.
- b) The right to access the personal data we hold about you.
- c) The right to have your personal data rectified if any of your personal data held by us is inaccurate or incomplete.
- d) The right to be forgotten, i.e. the right to ask us to delete or otherwise dispose of any of your personal data that we have.
- e) The right to restrict (i.e. prevent) the processing of your personal data.
- f) The right to object to us using your personal data for a particular purpose or purposes.
- g) The right to data portability. This means that, if you have provided personal data to us directly, we are using it with your consent or for the performance of a contract, and that data is processed using automated means, you can ask me for a copy of that personal data to re-use with another service or business in many cases.
- h) Rights relating to automated decision-making and profiling. **We** do not use automated decision making processes.

For more information about exercising your rights as outlined above, please go to

- <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>
- contact us using the details provided as above or in Part 11.

4. **What Personal Information does Boston College Collect?**

Boston College primarily collects personal information from you. However it also collects personal data from your family, the Department of Education, Local Authorities, your previous schools, if relevant, your previous employer and Trade

- 4.1 The College processes your name, home address, date of birth, email address, telephone number, next of kin, your image, course studied, fee payments, and information about your examinations, assessments and results. This information will be collected :
- From the details you provided on your application form, any supporting documents requested as part of your admission and additional details provided by any referees and recorded following any interview process.
 - In the course of the administration of your studies whilst you are at Boston College,
 - Your use of the academic and non-academic facilities and services that we offer.
 - Information you provide to us in the course of your time at Boston College, including information required to enable us to administer your student contract.
- 4.2 The College processes information about you that may be classed as 'sensitive' or 'special category' personal data, and which requires additional protections. This includes
- information concerning your gender, ethnicity, sexual orientation, religious beliefs, your lifestyle and social circumstances
 - physical or mental health details used in order to provide care, help or suitable adjustments or for planning and monitoring purposes,
 - Information about past criminal convictions, or alleged criminal offences in regard to working with children or vulnerable adults, and your fitness to practise in certain regulated professions.
 - Trade or Trade Union membership
 - Biometrics in order to use the cashless system
- 4.3 If we require your consent for any specific use of your personal information, we will collect it at the appropriate point and you can withdraw this at any time. Where we ask for any sensitive information, such as that concerning your ethnicity, sexual orientation, religious beliefs or health/disability, you will have the option to refuse your consent by not supplying it.

5. **What is the purpose and legal basis of processing personal information by Boston College?**

- 5.1 The purpose of processing your personal information is to provide the following services in accordance with a range of contractual, statutory or public interest bases, including the following:
- To deliver and administer your education, record the details of your studies (including any placements with external organisations), and determine/confirm your academic achievements (e.g. results).
 - Where relevant to monitor, evaluate and support your educational activities.
 - To administer the financial aspects of your relationship with us and any funders.
 - To deliver IT facilities to you
 - To deliver facilities and services to you (e.g. libraries, careers, counselling).

- To enable your participation at events
- To communicate effectively with you by post, email and phone, including the distribution of relevant circulars.
- To operate security (including CCTV), governance, disciplinary (including plagiarism and academic misconduct), complaint, audit and quality assurance processes and arrangements.
- To support your training, medical, safety, welfare and religious requirements.
- To compile statistics and conduct surveys and research for internal and statutory reporting purposes.
- To fulfil and monitor our responsibilities under equalities, immigration and public safety legislation.
- To enable us to contact others in the event of an emergency (we will assume that you have checked with the individuals before you supply their contact details to us).

5.2 The lawful basis of processing of your personal information for these purposes is necessary for the performance of our:

- contractual obligations with you (e.g. to manage your education, student experience and welfare while studying at Boston College),
- compliance with a legal obligation (e.g. visa monitoring),
- tasks we carry out in the public interest (e.g. teaching and research),
- pursuits of the legitimate interests of the College or an external organisation (e.g. to enable your access to external services).
- Consent as set out in 4.3 above

6. How Long Will You Keep My Personal Data?

6.1 We store your personal information as part of your student record for the duration of your studies (and it may be used as part of our assessment of any future application you make for further studies at Boston College). Information about how long different data is held is set out in our retention schedule the link for which is https://vital.boston.ac.uk/enrolment/student_document_retention.pdf (For students of courses in certain regulated professions longer retention periods may apply.)

After you complete your studies with Boston College a core record of your studies is retained indefinitely so that the details of your academic achievements can be confirmed and for statistical or historical research.

7. **How and Where Does Boston College Store or Transfer My Personal Data?**

- 7.1 Boston College take all technical and organisational measures to ensure that your personal information is securely stored within the UK and transmitted securely in a variety of paper and secure electronic formats, including secure databases that are shared between the departments within the College (such as the main student records database, or the system used the College library) and any third parties within the UK.
- 7.2 In order to achieve this access to your personal information is limited to College or College staff who have a legitimate interest in it for the purpose of carrying out their contractual duties, and our use of your personal information will not be excessive.
- 7.3 Where personal data is transferred to third parties set out in paragraph 8 below it may involve the transfer of your personal information outside the European Economic Area (e.g. to facilitate your participation in an exchange visit or to report to an overseas funding provider). In such circumstances Boston College ensures that your personal data is transferred with security measures commensurate with the levels of security in place when transferring data within the UK. Such transfers are necessary in order to
- meet our contractual obligations with you,
 - to comply with our legal obligations as regards visas and immigration
 - processing relating to funding or sponsoring
 - checks made as regards references, qualifications and work experience
 - and are carried out with appropriate safeguards in place to ensure the confidentiality and security of your personal information
 - In accordance with any law enforcement requirement or in accordance with the law.

8. Who has access to my personal information?

- 8.1 Your personal information is shared with relevant staff at Boston College. In the context of students who are under the age of 18, personal information is also shared with their families or representatives.
- 8.2 Boston College also share personal information as is permitted or required by law, on a considered and confidential basis, with the following external organisations:
- The Office for Students (see their privacy statement about the uses made by them of your personal information published at <https://www.officeforstudents.org.uk/privacy/>)
 - Your funders and/or sponsors (e.g., as relevant, the Student Loans Company, Research Councils, consortium partners).
 - The providers of any external/collaborative learning and training placements or fieldwork opportunities.
 - External examiners and assessors, and external individuals involved in relevant College committees or procedures.
 - Relevant Government Departments (e.g. Department for Education, Home Office, Foreign and Commonwealth Office, Department of Health).
 - Relevant executive agencies or non-departmental public bodies (e.g. UK Visas and Immigration, HM Revenue and Customs, the Health and Safety Executive).
 - Relevant Higher Education bodies (Office for Students, Office for Fair Access, the organisation(s) running the National Student Survey and other student and leaver surveys).
 - Any relevant professional or statutory regulatory bodies.
 - The relevant College student union(s) and student clubs and societies, in order to facilitate your membership of those bodies.
 - Local authorities
 - The police, other law enforcement agencies and on an application made in accordance with the law
 - External auditors.
 - Companies or organisations providing specific services to, or on behalf of the College.
 - To healthcare, social and welfare organisations
 - Voluntary and charitable organisations
 - The press and the media
- 8.3 We will provide references to third parties on request. We will make your examination results publicly available in accordance with our statutory provisions. Your name and the type of qualification awarded will be published. If you object to this please contact the Data Protection Officer as detailed in paragraph 11.
- 8.4 Other than as set out above, we will not normally publish or disclose any personal information about you to other external enquirers or organisations unless you have requested it or consented to it, or unless it is in your vital interests to do so (e.g. in an emergency situation).

- 8.5 Boston College does not sell your data or pass on your personal information for the purposes of marketing.

9. **How Can I Access My Personal Data?**

If you want to know what personal data we have about you, you can ask us for details of that personal data and for a copy of it (where any such personal data is held). This is known as a “subject access request”. As subject access request form can be found by clicking the following link, and is at the back of the Rights of Individuals policy https://vital.boston.ac.uk/enrolment/Rights_of_Individuals_1819.pdf .

All subject access requests should be made in writing and sent to the email or postal addresses shown in Part 11.

10. **Who do I contact if I require further information, or wish to make a complaint?**

To contact Boston College about anything to do with your personal data and data protection, including to make a subject access request, please use the following details

Fiona Wrisberg
Data Protection Officer
Boston College
Skirbeck Road
Boston PE21 6JF

Email dataprotection@boston.ac.uk

Our telephone number is 01205 365701

Our website address is www.boston.ac.uk

If you are not happy with the response from Boston College, you also have the right to make a complaint to the ICO using the following details:

The Information Commissioners Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745

11. **Changes to this Privacy Notice**

This privacy notice is accurate as at the 25th May 2018. Please check our website for any changes to the contents of this notice.