

## **PRIVACY NOTICE**

### **WHO ARE WE?**

Swarthmore Education Centre. 2-7 Woodhouse Square, Leeds LS3 1AD

(Data Protection Registration number Z7266477)

From time to time you will be asked to tell us personal information about yourself (e.g. name and email address etc) in order to become a student or a client, to use Swarthmore systems and services and so on. At the point of collecting the information we aim to clearly explain what it is going to be used for and who we may share it with. Generally, the information is processed as part of our public task of providing education.

We are committed to ensuring that all personal information we hold is treated properly and in accordance with applicable data protection legislation. In accordance with applicable data protection legislation, we are required to explain to you how we will treat any personal data which we collect about you.

This Statement applies to anybody who submits information to us (whether it is submitted via our website, by e-mail, over the telephone, in person or by any other means). However, please note that in certain circumstances we may process your information for additional purposes not mentioned in this Statement (e.g., if you enrol as a student or apply for a job with us), in which case we will provide you with additional details of how we will process your personal data in that context at the appropriate time.

#### **Privacy notice on our application form for students:**

**'This privacy notice is issued by the Education and Skills Funding Agency (ESFA), on behalf of the Secretary of State for the Department of Education (DfE). It is to inform learners how their personal information will be used by the DfE, the ESFA (an executive agency of the DfE) and any successor bodies to these organisations.**

**For the purposes of relevant data protection legislation, the DfE is the data controller for personal data processed by the ESFA. Your personal information is used by the DfE to exercise its functions and to meet its statutory responsibilities, including under the Apprenticeships, Skills, Children and Learning Act 2009 and to create and maintain a unique learner number (ULN) and a personal learning record (PLR).**

**Your information will be securely destroyed after it is no longer required for these purposes. Your information may be used for education, training, employment and well-being related purposes, including for research. The DfE and the English European Social Fund (ESF) Managing Authority (or agents acting on their behalf) may contact you in order for them to carry out research and evaluation to inform the effectiveness of training.**

**Your information may also be shared with other third parties for the above purposes, but only where the law allows it and the sharing is in compliance with data protection legislation.'**

You have the right to lodge a complaint with the Information Commissioner's Office if you have any concerns regarding the way in which we process your personal information. We would however appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

You confirm that any information you supply to us is accurate and up to date (whether the information is about you), that you will inform us if any information that we hold about you requires updating, and that if you submit a third party's details to us (including but not limited to via our website) you have that third party's permission or another legal justification for doing so.

### **WHAT INFORMATION DO WE COLLECT AND HOW DO WE USE IT?**

The information will be used for purposes relating to education, training, employment, general advice services, well-being and research. The Centre may share non-sensitive personal information about you with other organisations, for example the Local Authority, for these purposes. We do not share your information for purposes that are incompatible, such as product marketing.

Sensitive personal information you provide (eg. disability or ethnicity) may be used by the Centre for the purposes of equality of opportunity, support for your studies and to minimise risk. It may also be used anonymously for statistical purposes. Swarthmore will ask your permission before sharing sensitive information with other organisations, unless the sharing is permitted by law and necessary.

It is possible to visit and browse some sections of our website without being required to tell us who you are or reveal any information about you.

We may collect information from you when you interact with our website or when you correspond with us by telephone, email or otherwise. This may include your name, contact details and information connected with any related enquiry. We may use this information where necessary for our legitimate interests (so long as our interests are not overridden by the impact on you), for example in responding to any related enquiry.

Where you use our website, we may also collect information about where you are on the internet (e.g., the URL you came from, IP address and domain names like.co.uk and .com), your browser type, the country where your computer is located, the parts of our website that were viewed during your visit and any search terms that you entered on our website. We may collect this information even if you do not submit any information to us using our website and will use it for our legitimate interests in administering and improving our website, for internal operations (including troubleshooting, analysis of how our website is used, testing, research and statistical purposes) and as part of our efforts to keep our website safe and secure.

### **TO WHOM MAY WE DISCLOSE INFORMATION?**

We may disclose information relating to you:

with third parties who are directly involved in dealing with any request, enquiry, complaint or other correspondence submitted by you which the information is relevant to;

with third parties who are providing us with professional advice which the information is relevant to where necessary for our legitimate interests and permitted by law;

where we are legally required to do so;

in connection with criminal investigations, legal proceedings or prospective legal proceedings which the information is relevant to where necessary for the related legitimate interests of us or a third party and permitted by law;

in order to establish, exercise or defend our legal rights where necessary for our legitimate interests and permitted by law; and

where we have stated or informed you otherwise.

## **YOUR RIGHTS**

You have a legal right to see a copy of the personal information that we keep about you and to require us to correct any inaccuracies, subject to certain exemptions. In some circumstances you may also have the right to:

- (a) request that we erase any personal information held about you;
- (b) restrict our processing of your personal information (for example to ask to suspend the processing of personal information to establish its accuracy or the reasons for processing it);
- (c) data portability (i.e., to request the transfer of personal information to a third party); and
- (d) object to our processing of your personal information where we are relying on a legitimate interest (or those of a third party) or the processing is carried out on the basis that it is necessary for the performance of a task in the public interest.

Requests in respect of the above should be made in writing to the Director, Swarthmore Education Centre, 2-7 Woodhouse Square, Leeds LS3 1AD or email [info@swarthmore.org.uk](mailto:info@swarthmore.org.uk). Please contact the same address if you have any reason to believe that information we hold about you is inaccurate. We will respond to your request as soon as possible and, in any event, within one month from the date of receiving the request. Please note that we may, where legally permitted, reject any such request or limit the scope of our response (e.g., if, in the circumstances, the right does not apply to you).

In accordance with applicable data protection legislation, we follow security procedures in the storage and disclosure of your information. We may therefore request proof of your identity and rights before complying with any request.

You will not generally have to pay a fee to exercise any of your rights described above. However, we may charge a reasonable fee if you make a request to see a copy of your personal information which is clearly unfounded or excessive. Alternatively, we may refuse to comply with your request in such circumstances.

## **SECURITY AND RETENTION**

We have put in place appropriate security measures to prevent personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to such personal information to those employees, agents, contractors and other third parties

who have a valid need to know that information. However, the internet is global, and no data transmitted via the internet can be guaranteed by us to be completely secure during transmission. We cannot guarantee the security of any information that you disclose online, and we will not be responsible for any breach of security unless due to our negligence or wilful default. It is possible that the information that you provide to us will be temporarily transferred via a route outside the European Economic Area as it passes between us.

In certain circumstances we may use the services of a supplier outside the European Economic Area (EEA) for purposes referred to in this Statement (for example, we may use the services of SurveyMonkey and Mail Chimp from time to time to send certain types of electronic communications). This may involve your personal information being processed by the relevant supplier on our behalf outside of the EEA. If we do this, we will require the relevant supplier to put in place appropriate technical and organisational data protection security measures (for example, as part of our contract with the relevant supplier or by verifying that they operate under the EU-U.S. Privacy Shield framework (please see [www.privacyshield.gov](http://www.privacyshield.gov) for further details).

We have put in place procedures to deal with any suspected data security breach and will notify you and/or any applicable regulator of a suspected breach where we are legally required to do so.

Information submitted for a purpose described in this Statement will be retained for a reasonable period having regard to the relevant purpose for the information being used, following which it will be securely destroyed.

Whilst taking into consideration our legal obligations, we will on an ongoing basis: review the length of time that we retain personal data; consider the purpose or purposes for which we hold the personal data in deciding whether (and for how long) to retain it; securely delete personal data that is no longer needed for such purpose or purposes; and update, archive or securely delete information if it goes out of date.

#### **HOW WILL YOU KNOW IF WE MAKE ANY CHANGES TO THIS STATEMENT?**

This Statement does not form part of any contract.

We may amend this Statement at any time. If we make any changes to the way in which we use information submitted our website, we will post a related update on our website.

#### **WHAT ABOUT THIRD PARTY WEBSITES?**

Our website may contain links to other websites which are outside our control and are not covered by this Statement. If you access other websites using the links provided the operators of those websites may collect personal data from you which will be used in accordance with their respective privacy policies which you should read. We are not liable for the practices of such third-party website operators in respect of your personal information.

You acknowledge that any information that you post or submit using any of our social media facilities (such as any of our Facebook, Twitter, Instagram or YouTube pages) will be viewable by anybody that visits those facilities and that such information is also subject to the relevant provider's

privacy policy. You are advised to consult each such privacy policy to see how they will use your data.

#### **DATA PROCESSING IN RESPECT OF INDIVIDUALS OTHER THAN STUDENTS/STAFF**

We may also hold and use personal information in relation to individuals who are not staff or students but who otherwise have a connection to a student or the Centre's services. This information may include such a person's name, telephone number, e-mail address and other contact details. We will collect and use this information where necessary for our legitimate interests in the following circumstances:

(a) personal information relating to a student's parent/carer will be used as necessary to contact them in relation to matters such as the student's non-attendance, emergencies and disciplinary matters involving the student; and

(b) personal information relating to a student's or staff member's nominated emergency contacts will be used as necessary to contact them in relation to any emergency involving that student/staff member.

The information described above will be collected using the appropriate Centre form related to the relevant processing activity.

#### **CONTACT**

If you have any questions about this Statement or our use of personal information, please contact our Director by email at [info@swarthmore.org.uk](mailto:info@swarthmore.org.uk) or by writing to the Director: Swarthmore Education Centre, 2-7 Woodhouse Square, Leeds LS3 1AD.