

PRIVACY NOTICE – STUDENTS AND APPRENTICES

1. WHAT INFORMATION DO WE HOLD ABOUT YOU?

Information we collect from you

- 1.1. You provide us with personal data when you apply and enroll with the College via the online or paper-based routes. This includes your name, address, date of birth, contact information, gender, next of kin/parent/carers for under 18s and under 25s students with special educational needs or disabilities, previous education and qualifications, any medical or support needs, and ethnicity. We also collect information about criminal offences

Other information

- 1.2. We hold other information about you, including your academic work, attendance, progress, and any disciplinary or behaviour records; records of applications for support and bursaries; information, advice and guidance; records of tutorials; work experience; exam achievement; and any other information collected as part of your education and training programme.

We may make video or audio recordings to provide evidence for coursework and assessment or to support learning and safeguarding. Recordings are retained in line with our retention policy and securely deleted when no longer required. You will be informed when a session is being recorded and may opt out where appropriate.

We may also keep information contained in correspondence by post, email, or other electronic communication, and may record phone or video calls. Online teaching sessions may be recorded to provide effective support to students who require this, but online meetings will not be recorded without your consent.

This may also include copies of your Education and Health Care Plan if you have one, or other detailed information that enables us to support you effectively. If you attend counselling sessions, personal information will also be discussed and recorded to enable the counsellor to support you.

1.3 UKVI Compliance for International Students

If you are an international student sponsored under the Student route, we are legally required to collect and process certain information to comply with UK Visas and Immigration (UKVI) requirements under the Immigration Act 2014 and UKVI Sponsor Guidance. This includes:

- Copies of your passport and immigration documents (such as visa vignette, Biometric Residence Permit, or eVisa share code).
- Confirmation of Acceptance for Studies (CAS) details and proof of entry into the UK.

- Attendance and engagement records for compulsory contact points (e.g., lectures, tutorials, exams).
- Reporting changes to your circumstances (such as contact details, immigration status, or course changes) to UKVI within required timescales.

This processing is necessary to comply with a legal obligation under UK GDPR Article 6(1)(c). Your data may be shared with the UKVI/Home Office for compliance purposes.

- 1.3 We operate CCTV across the campus for safety and security purposes. Facial recognition cameras are installed only at the main atrium entrance, staff entrance, and construction entrance. These cameras process biometric data to identify individuals flagged for restricted access. Full details are provided in our CCTV Privacy Notice.
- 1.4 We may also obtain other information about you permitted by law from other sources. This may include previous educational institutions, social services, the police or other agencies.

2. WHY DO WE COLLECT THIS INFORMATION?

- 2.1 We process your personal data under the lawful bases set out in Article 6 of the UK GDPR, including:
 - Legal obligation – to comply with statutory duties and funding requirements.
 - Public task – to deliver education and training as a public function.
 - Consent – where you have given clear permission for specific purposes.
 - Vital interests – to protect your life or health in emergencies.

For special category data (e.g. health, ethnicity, EHCPs), we rely on Article 9 lawful bases such as:

- Substantial public interest – including safeguarding and equality monitoring.
- Provision of health or social care Facial recognition technology is used solely for identification and access control; it does not make automated decisions about students. For biometric data processed by facial recognition cameras, we rely on Article 9(2)(g) substantial public interest and Article 6(1)(e) public task, as well as legitimate interests for campus security.

3. WHO MIGHT WE SHARE YOUR INFORMATION WITH?

We will keep your information confidential, but in some instances, we need to share your data to deliver education, meet legal obligations, and safeguard learners. This includes sharing with:

- Government funding and regulatory bodies (e.g., Department for Education, Office for Students, Student Loan Company, UCAS, local authorities).

- Awarding organisations, exam boards, and assessment bodies for registration and achievement of qualifications.
- Employers for apprenticeships and work placements, and host families for international students.
- Partner organisations such as other colleges, schools, and training providers where joint delivery or support arrangements are in place. For these activities, York College and the partner organisation act as joint controllers under UK GDPR, meaning we jointly determine how and why certain personal data is processed. Data is shared only for educational and safeguarding purposes under lawful bases (public task and, where applicable, legal obligation). You may exercise your data protection rights with either York College or the relevant partner organisation. York College acts as the central contact point for queries: dataprotection@yorkcollege.ac.uk.
- Providers of educational tools and systems used to support learning and administration.

We may also share information with the Police, Social Services, or other agencies where required by law or in your vital interests.

4. WHAT DO WE DO WITH YOUR INFORMATION?

- 4.1. We collect this information in order to process your application/enrolment, ensure you are studying on an appropriate course, receive the necessary support, and to support your studies.
- 4.2. The information is held on College data management systems and may be used by teaching and support staff in order to support your education and training, to report on overall College performance and to safeguard you and other students, staff and visitors.
- 4.3. As part of the overall data we hold about all students, we will use the information to analyse and report, in line with Government requirements, on the College's overall performance against several indicators. As aggregated data it will be used to support the College's claims for government funding and as aggregated and anonymised it will be used by the Department for Education and its agencies to calculate and publish performance data about the College.

Transfer of your personal data outside the UK

Where data is transferred outside the UK to countries without adequacy decisions, we implement appropriate safeguards such as International Data transfer Agreements (IDTAs) or Standard Contractual Clauses (SCCs).

5. HOW DO WE PROTECT YOUR DATA?

- 5.1. We take the security of your data seriously and have internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed inappropriately.
- 5.2. Where we engage third parties to process personal data on our behalf, we do so on the basis of written instructions, are under a duty of confidentiality and are obliged to

implement appropriate technical and organisational measures to ensure the security of data.

6. HOW LONG DO WE KEEP THIS INFORMATION ABOUT YOU?

- 6.1. We keep information in accordance with our document and data retention policies. Our policies outline how long we keep different types of personal data. Retention periods are in line with the length of time we need to keep your personal information in order to manage and administer your education and training and handle any future information issues. They also take into account our need to meet any legal, statutory and regulatory obligations. These reasons can vary from one piece of information to the next. In all cases our need to use your personal information will be reassessed on a regular basis and information which is no longer required will be disposed of. Copies of our policies are available on the website.

7. HOW CAN I ACCESS THE INFORMATION YOU HOLD ABOUT ME?

Subject access requests

- 7.1. The Data Protection Act 2018 grants you the right to access particular personal data that we hold about you. This is referred to as a subject access request. We will respond within one month from the point of receiving the request and all necessary information from you. Our formal response will include details of the personal data we hold about you, including the following:

- Sources from which we acquired the information
- The purposes for processing the information, and
- Persons or entities with whom we are sharing the information.

Due to the nature of CCTV footage, it is generally not practical to send copies electronically as part of a subject access request. Instead, we may arrange for you to view the footage securely at the College premises.

- 7.2. You can make a subject access request by completing the request form on our website or by emailing it to dataprotection@yorkcollege.ac.uk.

8. WHAT ARE MY RIGHTS?

Subject access requests

- 8.1. The Data Protection Act 2018 grants you the right to access particular personal data that we hold about you. (See above)

Right to rectification

- 8.2. You have the right to obtain from us, without undue delay, the rectification of inaccurate personal data we hold concerning you. Taking into account the purposes of the processing, you have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

Right to erasure

- 8.3. You have the right to obtain from us the erasure of personal data concerning you without undue delay.

Right to restriction of processing

- 8.4. Subject to exemptions, you have the right to obtain from us restriction of processing where one of the following applies:
- The accuracy of the personal data is contested by you and is restricted until the accuracy of the data has been verified;
 - The processing is unlawful and you oppose the erasure of the personal data and instead request the restriction in its use;
 - We no longer need the personal data for the purposes of processing, but it is required by you for the establishment, exercise or defence of legal claims;
 - You have objected to processing of your personal data pending the verification of whether there are legitimate grounds for us to override these objections.

Notification obligation regarding rectification or erasure of personal data or restriction of processing

- 8.5. We shall communicate any rectification or erasure of personal data or restriction of processing as described above to each recipient to whom the personal data has been disclosed, unless this proves impossible or involves disproportionate effort. We shall provide you with information about those recipients if you request it.

Right to data portability

- 8.6. You have the right to receive your personal data, which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit this data to another controller, without hindrance from us.

Right to object

- 8.7. You have the right to object, on grounds relating to your particular situation, at any time to the processing of personal data concerning you, including any personal profiling; unless this relates to processing that is necessary for the performance of a task carried out in the public interest or an exercise of official authority vested in us. We shall no longer process the personal data unless we can demonstrate compelling legitimate grounds for the processing, which override the interests, rights and freedoms of you or for the establishment exercise or defence of legal claims.

Right to not be subject to decisions based solely on automated processing

- 8.8. We do not carry out any automated processing leading to an automated decision based on your personal data. Facial recognition technology is used solely for identification and access control; it does not make automated decisions about students.

Accuracy of information

- 8.9. In order to provide the highest level of customer service possible, we need to keep accurate personal data about you. We take reasonable steps to ensure that accuracy of any personal data or sensitive information we obtain. We ensure that the source of any personal data or sensitive information is clear, and we carefully consider any challenges to the accuracy of the information. We also consider when it is necessary to update the information, such as name or address changes and you can help us by informing us of these changes when they occur.

9. WHO CAN I CONTACT IF I HAVE ANY QUESTIONS OR CONCERNS?

- 9.1. If you have any questions or queries which are not answered by this Privacy Notice, or have any potential concerns about how we may use the personal data we hold, please write to the Data Protection Officer at York College, Sim Balk Lane, Bishopthorpe, York YO23 2BB or email dataprotection@yorkcollege.ac.uk
- 9.2. If your complaint is not resolved to your satisfaction and you wish to make a formal complaint to the Information Commissioner's Office (ICO), you can contact them on 0303 123 1113 or contact them via [live chat](#) on their website. You also have the right to judicial remedy against a legally binding decision of the ICO where you consider that your rights under this regulation have been infringed as a result of the processing of your personal data. You have the right to appoint a third party to lodge the complaint on your behalf and exercise your right to seek compensation

10. PRIVACY NOTICE CHANGES

- 10.1. This Privacy Notice is regularly reviewed. This is to make sure that we continue to meet the highest standards and to protect your privacy. We reserve the right at all times, to update, modify or amend this Notice. We suggest that you review this Privacy Notice from time to time to ensure you are aware of any changes we may have made, however, we will not significantly change how we use information you have already given to us without your prior agreement. The latest version of this Notice can be found on the College's website.