



## LINK19 College Learner Privacy Notice

This Privacy Notice explains how the personal data of learners is collected and handled by LINK19 College.

### LINK19 College Details

LINK19 College is a specialist post-19 institution for learners aged 19-25.

Name: LINK19 College LTD

Address: LINK19 College Link Centre, Dering Way, Gravesend, Kent, England, DA12 2DP

Phone: 01474555799

Email: [enquiries@link19college.ac.uk](mailto:enquiries@link19college.ac.uk)

Data Protection Officer: Mr Martin Francis

### Nature of Personal Data process by LINK19 College

Personal data processed by LINK19 College includes:

- personal identifiers and contacts (e.g., names, unique learner number, contact – address details)
- qualifications and assessment (including results)
- characteristics (e.g., free school meal eligibility)
- safeguarding data (e.g., court orders and professional involvement)
- special educational needs & support requirements
- medical and administration (e.g., medical data, learner health, dental health, allergies, medication, and dietary requirements)
- placements
- risk assessments
- attendance (e.g., sessions attended, number of absences, absence reasons and any previous settings or provisions attended)
- behaviour
- trips and activities
- learner catering/free school management
- use of LINK19 College website
- use of LINK19 College IT/comms systems
- identity/security authentication management including photo ID and NI number

This list is not exhaustive and personal data depends on your engagement with LINK19 College. LINK19 College may process other personal data, expressions of opinion or other recorded data that identifies or relates to you.

### Special Category Data

LINK19 College may also need to collect special category data relating to racial or ethnic origin, religious beliefs, health, and sexual life or orientation. LINK19 College will always ensure that processing of special category data is lawful, fair, and transparent and complies with all the other principles and requirements of data protection legislation.

You can choose to tell LINK19 College your racial or ethnic origin, sexual life or orientation, and religious beliefs. LINK19 College can use this data to review its performance in meeting Equality Act duties. (GDPR basis for processing – Article 9 2 (g) where the use of personal data ‘is in substantial public interest’, which the Data Protection Act 2018 clarifies can include keeping under review the existence or absence of equality of opportunity or treatment between different groups of people, including differences based on ethnicity, religious beliefs, and sexual orientation.) This data is not used to influence decision-making.

LINK19 College will also hold data about health, disabilities, and special needs, enabling LINK19 College to arrange support and make necessary arrangements. (GDPR basis for processing – Article 9 2 (b) where the use of personal data is necessary for carrying out obligations in the field of social protection law.)

### **Reasons for Personal Data Collection**

Personal data is essential for LINK19 College’s educational delivery.

Personal data is processed for the following purposes:

- a) to support your learning
- b) to monitor and report on your progression
- c) to provide appropriate learner support
- d) to deal with funding and administration
- e) to assess the quality of the provision
- f) to keep you safe (e.g., food allergies, or emergency contact details)
- g) to meet the statutory duties placed upon LINK19 College for data collections.

Personal data is processed for the above purposes in accordance with the following lawful bases:

- Consent: the learner gives consent for LINK19 College to process personal data for a specific purpose
- Legal obligation: the processing is necessary for LINK19 College to comply with the law
- Vital interests: the processing is necessary to protect your life
- Legitimate interests: the processing is necessary for LINK19 College’s legitimate interests or the legitimate interests of a third person, unless there is a good reason to protect your personal data which overrides those legitimate interests.

### **Collection of Personal Data**

LINK19 College collects personal data via enrolment (and secure file transfers) and subsequent engagement.

Whilst most personal data you provide to us is mandatory, some of it requested on a voluntary basis. To comply with the data protection legislation, LINK19 College will inform you at the point of collection, whether you are required to provide certain personal data to us or if you have a choice in this.

### **Storage of Personal Data**

LINK19 College holds personal data securely for the following set amount of time:

- Learner Records (any data relating to a learner generated by LINK19 College, the learner or a third person for the purpose of educational delivery) six (6) years
- Individual Learner Record (3) years.

### **Sharing of Personal Data**

LINK19 College does not share your data with anyone without consent unless legally permitted.

Personal data may be shared with:

- Your previous & subsequent education providers
- Permitted contacts (e.g., parents/carers for performance, progress & welfare)
- Local authorities

- DfE/Education and Skills Funding Agency
- National Pupil Database
- Learner Records Service.
- Awarding bodies
- Placement providers
- Careers Advisers
- Trips & visits facilitators
- Law enforcement.

### **Additional Requirements for Special Category Data**

LINK19 College maintains accountability for special category data processing, including the implementation of a Data Protection Policy, the appointment of the LINK19 College Lead as Data Protection Officer, maintaining processing activity records, entering into written data processor agreements, and processing security measures.

Data Protection Principles are complied with by ensuring data is processed lawfully, fairly, and transparently, only where there is a clear lawful basis, and the processing of Special Category Data meets the requirements contained under the Special Category Data heading above. Clear information is contained in this Privacy Notice and personal data is collected for specific, explicit, and legitimate purposes and not further processed for incompatible purposes. Data is accurate, current, adequate, relevant, and limited to what is necessary in relation to the purpose for which it is processed. Data is kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which it is processed (refer to Storage of Personal Data heading).

The Education and Skills Funding Agency collects personal data from educational settings and local authorities via various statutory data collections. LINK19 College is required to share personal data with the Education and Skills Funding Agency. For the purposes of data protection legislation, the DfE is the data controller for personal data, this includes personal data processed by the Education and Skills Funding Agency. All data is transferred securely and held under a combination of software and hardware controls.

### **Access to Personal Data**

Under data protection legislation, you have the right to request access to data about you that LINK19 College holds. To make a request for your personal data, contact the LINK19 College Lead.

You also have the right to:

- to ask LINK19 College for access to data held about you
- 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 about the way LINK19 College collects or uses your personal data, you should raise your concern with LINK19 College in the first instance or directly to the [ICO](#).

For further data on how to request access to personal data held centrally by the DfE/Education and Skills Funding Agency write to: Data Protection Officer, Department for Education (B2.28), 7 & 8 Wellington Place, Wellington Street, Leeds, LS1 4AW.

DfE: <https://www.gov.uk/contact-dfe>

## **Keeping your data safe**

LINK19 College will keep your personal data secure to protect it from being inappropriately or accidentally accessed, used, shared, or destroyed, or lost. LINK19 College limits access to your personal data to those employees, agents, contractors etc who have a business need to know. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality. To prevent unauthorised access or disclosure, LINK19 College has put in place suitable physical, electronic, and managerial procedures to safeguard and secure the data LINK19 College collects.

If LINK19 College sends any data beyond the UK, LINK19 College will ensure that data is protected to a level which meets the requirements of data protection regulations.

## **Withdrawal of Consent & Complaints**

Where LINK19 College is processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please contact the LINK19 College Lead.