



South  
Lanarkshire  
College  

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East Kilbride

# Privacy Notice - Students

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## Document Information

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## Version History

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2.0 Final	May 2024	DPO	Reviewed and updated

## Quick Links

We are inclusive and diverse, and this is one of our values.

We are committed to the FREDIE principles of Fairness, Respect, Equality, Diversity, Inclusion and Engagement.



To find out more about FREDIE click [HERE](#)  
To find out more about our Vision, Mission and Values click [HERE](#)



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## Introduction

Your privacy and trust are important to us, and this Privacy Notice provides essential information about how South Lanarkshire College handles your personal information.

By processing your data, we are fulfilling our obligations as a college and as a public authority in the provision of education in the public interest and to comply with the requirements of the Education (Scotland) Act 1980, the Equality Act 2010 and other legislation.

South Lanarkshire College is registered with the Information Commissioner's Office, registered number Z825523X.

## What is personal data/information?

In simple terms, personal data is information which identifies and relates to you, either on its own or in conjunction with other information held by the College.

Sensitive personal data (special categories of personal data) is personal data which falls within one of these categories:

- personal data revealing racial or ethnic origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- genetic data, biometric data for the purpose of uniquely identifying a natural person
- data concerning health
- data concerning a person's sex life or sexual orientation

Criminal convictions data is data which relates to criminal offences or criminal proceedings.

## The types of personal information we collect

We collect identifiable information about you in order to create and maintain adequate records in relation to the various interactions you may have with the College. Whenever you provide personal data there should be a privacy notice, like this one, which tells you what the information will be used for.

If we are ever collecting sensitive personal data, as defined above, additional safeguards will be in place around how we can use that data.

The information we collect about you when you apply for or enrol on a course on paper or using our online services will be used for the purposes of meeting the requirements of your learner journey at the College.

This will include some or all of the following:

- Personal contact details including your name, address, telephone number, email address
- Date of birth
- Gender
- Marital status and dependants
- Next of kin and emergency contact information
- Employer details
- National insurance number
- Bank account details
- Previous education, qualifications and employment history
- Course and unit registration
- Assessment information related to your course
- Disciplinary information
- Appeals and complaints
- Attendance data
- Financial information (to support the funding of your course or expenses)
- CCTV footage
- Student photographic ID badge

We may also collect, store and use the following sensitive personal information:

- Your race or ethnicity, religious beliefs, sexual orientation and political opinions
- Information about your health, including health and sickness records and personal support / additional needs plans
- Information about criminal convictions, proceedings and offences (PVG/Disclosure Scotland)

We will only process special categories of data where we either have your explicit consent; or when it is needed in the public interest or the substantial public interest; where we require to establish, exercise and defend legal claims; or if we are legally required to do so.

Where we process information about criminal convictions, proceedings and offences we do so under an appropriate policy and we will put appropriate safeguards in place.

## How we use personal information

We will only use your personal information when the law allows us to do so.

The purposes and legal bases for which we will process your personal data include, but are not limited to, the list below:

Purposes	Legal basis
<p>Making a decision about your application for a course</p> <p>Enrolling you on a course</p> <p>Administering the contract we have entered into with you</p> <p>Ensuring you can receive any financial entitlement you may have (including payment of fees, bursary, EMA, travel, rent, childcare or hardship)</p> <p>Giving you results for assessments and exams and certificates for successful completion of units and courses</p> <p>Inviting you to participate in graduation</p> <p>Making decisions about your progression to other courses</p> <p>Recording your attendance</p> <p>Collecting information about your behaviour where it is considered not to be in accordance with our code of conduct</p> <p>Allowing you to participate in South Lanarkshire College Students' Association activity</p>	<p>To perform the contract we have entered into with you or to take steps towards entering a contract with you</p> <p>Use is necessary for a task carried out in the public interest to fulfil our responsibilities as a regional college under the Post 16 Education (Scotland) Act 2013 and Higher Education (Scotland) Act 2005.</p> <p>Legal obligations concerning Students' Association Activity in Further and Higher Education (Scotland) Act 1992 and Education Act 1994.</p>

<p>Dealing with legal disputes involving you or other students, staff or contractors including accidents</p> <p>Complying with health and safety obligations</p> <p>Providing additional support services for those who wish to receive it, including disability services and any reasonable adjustments required under Equalities legislation</p> <p>Fulfilling statutory obligations related to disability, protected characteristics and other priority groups.</p> <p>For equal opportunities monitoring</p> <p>Carrying out PVG checks for students on placements in a childcare settings or working with vulnerable adults</p> <p>To prevent fraud</p>	<p>To comply with a legal obligation</p> <p>To establish, exercise and defend legal claims</p> <p>Legal obligations under Scottish Public Services Ombudsman Act 2002 and the Health &amp; Safety at Work Act 1974</p> <p>‘Special category data’ may be processed where this is in the substantial public interest, proportionate and authorised by law.</p> <p>Health and disability information is processed under the Equality Act 2010.</p> <p>Criminal convictions data for student placements is processed under the Protection of Vulnerable Groups (Scotland) Act 2007.</p> <p>Prevention of fraud data is processed under The Data Protection Act 2018 Schedule 1, Part 2, section 10 the preventing and detecting of unlawful acts.</p>
<p>To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems</p>	<p>Where it is necessary for our legitimate interest (or those of a third party) and your interests and fundamental rights do not override those interests</p>
<p>Statistical Analysis for internal and external research purposes and equal opportunities monitoring, including statutory Further Education Statistical (FES) returns to Scottish Funding Council (SFC) and other external bodies, such as the Scottish Government.</p>	<p>Use is necessary for a task carried out in the public interest to fulfil our responsibilities as a regional college under the Post 16 Education (Scotland) Act 2013 and Higher Education (Scotland) Act 2005.</p> <p>Legal obligation under The Equality Act 2010.</p>

	<p>Some 'special category data' (e.g. ethnicity, sexual orientation, race) is collected to carry out statistical analysis to ensure the College is advancing equality of opportunity and treatment for all student groups. This enables the college to meet its duties under the Equality Act 2010. The Data Protection Act 2018 also allows the processing of your information for this purpose where you have chosen to provide this data).</p> <p>Processing is necessary for archiving purposes in the public interest, or scientific and historical research purposes or statistical purposes.</p>
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## How we secure personal information

Electronic personal data is held on the college secure servers and private college cloud systems such as Microsoft 365. Any hard copy data is stored securely to prevent unauthorised disclosure.

The College has robust Information Security and Data Handling policies in place to protect all the data it holds, including your personal data. You can read more about these policies and technical standards on the College website.

On a day-to-day basis staff access to student personal data is restricted on a 'need to know' basis. The College data protection policies and procedures make clear that all staff have a responsibility to ensure that they handle personal data appropriately and that suitable organisational security measures are in place.

## Who we share data with

The College discloses information about students to a variety of third parties. This will always be done in accordance with the relevant legislation. You should be aware that in many cases it is not necessary to seek your consent to share your personal data. This may be for a number of reasons, for example, the College is under a legal or statutory obligation to provide the information.

If your consent is required before we can share your information then we will contact you to ask for this. If you do not consent then your data will not be shared (unless we are legally required to do so). Personal data will only ever be disclosed in accordance with the data protection legislation in force at the time.



Third parties who we share your data with include (but are not limited to):

- Student sponsors e.g. Student Loans Company, Student Awards Agency Scotland (SAAS), local authorities or funding bodies. If you are sponsored by a company or any other funding body then you should be advised in advance of what data will be shared between the College and the funder in relation to your time at the College;
- Scottish Government;
- Scottish Funding Council;
- Local Authority – if you are still a school pupil;
- Skills Development Scotland (SDS);
- Home Office (International Students only);
- Childcare providers and landlords (where we are paying your costs);
- Local or central government/agencies in relation to benefit/tax administration;
- Awarding bodies for accreditation/registration/confirmation purposes, for example, Scottish Qualifications Authority (SQA), City & Guilds, Construction Industry Training Board (CITB), BPEC, ILM;
- South Lanarkshire College Student Association;
- Electoral registration officers;
- Potential and current employers or providers of education who have been approached by you;
- Other educational institutions or work placement sites involved in joint/collaborative course provision e.g. Universities (if you are on a degree course or wish to articulate with one of our university partners) we will share and obtain personal information;
- Relevant authorities dealing with emergency situations at the College\*;
- Work placement provider;
- Any other authorised third party to whom the College has a legal/contractual obligation to share personal data with.

\*Please note that in emergency situations where the College deems it to be in your (or potentially a third party's 'vital interests') the College may share your personal data, including sensitive personal data with relevant individuals/agencies, e.g. the Police.

## Surveys

The College or its authorised agents /partners will contact you, via the contact details you have provided, in relation to certain surveys. These will only be where we have a statutory obligation to administer the survey or it has been approved by the College. For example, you will be contacted in relation the following surveys:

- College Leaver Destination (CLD)
- College In-Course Questionnaire

## Graduation and other events

Names, faculties, award and course title of graduands will normally be published in the graduation programme and local press. You will be able to opt-out of publicity when registering for graduation.

Please note that graduation ceremonies are considered public events and audio and visual images of ceremonies may be available via a live web-feed and thereafter via the internet. Photographers from the College, or from the Colleges official partners, may be present at the event. You will be advised of what to do if you do not wish your photograph to be taken or used either prior to, or at, the event.

## Online educational tools

The College currently uses the following online educational tools which involve restricted international data transfers: Name of Service	Purpose	Country of Data Transfer	Mechanism allowing transfer
Turnitin	Pre-submission check of coursework for similarity with other published work	US	UK Extension to the EU-US Data Privacy Framework
ClickView	Platform for video resources	Australia	International Data Transfer Agreement

## Testing IT Systems

The College may also, where required, use copies of the data you provide (including sensitive personal data) in order to test our IT systems.

If personal data is used for system testing, it will be copied to a test environment, where it will be used to test IT systems in a realistic way. This is done to ensure that changes will be effective and will not cause loss or damage to data in the 'live' environment. The data about you which we hold in our 'live' systems will not be affected in any way.

Data will not be kept in the test environment for longer than is necessary for testing purposes, and data in that environment will not be used for any purpose other than testing.

Appropriate security precautions and permissions will be applied to the data and any copy used for testing will be deleted as soon as the testing has been completed.

## CCTV

The College operates CCTV in various locations throughout the Campus. This is done on the basis of our legitimate interests in relation to health and safety, security and crime prevention; and to establish, protect and defend legal claims. The images will be processed in accordance with data protection legislation and in line with best practice guidance from the Information Commissioner's Office [www.ico.org.uk](http://www.ico.org.uk).

## How long we keep personal information

The College will retain your personal data as long as necessary for the purposes described above. Please note that after completion of your studies the College may still require to hold your personal data for a period of time to satisfy statutory/legal obligations and/or to meet administrative requirements. Appropriate data will be retained permanently to ensure a record of your educational achievements is retained.

The College is currently revising its retention schedule for student data and this will be available, via the website, in due course.

## Transfers outside the European Economic Area

The College does not typically send your data outside the UK or the European Economic Area ('EEA') unless you is a specific reason for doing so. Where the College does so, it will put protections in place to ensure the recipient protects the data to the same standard as in the UK/EEA. The protections include:

- transferring to a non-EEA country with privacy laws that give the same protection as the EEA;
- putting in place a contract with the recipient that means they must protect personal data to the same standards as in the UK/EEA;
- transferring personal data to organisations that are part of the UK extension to the EU-US Data Privacy Framework. This is a framework that sets privacy standards for personal data sent between the US and EU countries which makes sure standards are similar to what is used within the EEA.

## Rights under Data Protection Law

As a 'Data Subject' you have a number of rights under data protection law.

Some rights are things that you can expect the College to do, e.g. transparency and breach notification. The other rights are things that you can choose to exercise. Should you wish to exercise any of the rights outlined below, you should send a written request in writing to: [dpo@slc.ac.uk](mailto:dpo@slc.ac.uk) or Data Protection Officer, South Lanarkshire College, College Way, East Kilbride G75 0NE.

- Access – you have the right to find out what personal information we hold about you.
- Rectification – if any of your details are incorrect or incomplete you can ask us to correct them for you.
- Erasure – you can also ask us to delete your personal information in some circumstances.
- Restriction – you have the right to ask us to restrict the processing of your personal information in certain circumstances.
- Data Portability – in some circumstances, you can ask us to send an electronic copy of the personal data you have provided to us, either to you or to another organisation.
- Object – If you have concerns about how we are using your information, in some circumstances, you have the right to object.
- Automated Processing including Profiling - you have the right to object to automated processing where decisions are being made about you that have no human intervention and the decision made could potentially have a significant impact on you. The College currently does not operate any automated processes or profiling activities without human intervention, so this right should not be relevant to you in relation to your College activity.
- Breach Notification - You have a right to be notified of any breach of data protection that could affect you without undue delay in the event the security of your personal data has been compromised.

Where we process personal data based on your consent, you have the right to withdraw consent at any time.

For more information on your full rights please see [www.ico.org.uk](http://www.ico.org.uk).

## Right to access personal data

As a data subject you have a right to request a copy of the information the College holds about you, this is known as a 'Subject Access Request' (SAR). For more information see [Data Protection - South Lanarkshire College \(slc.ac.uk\)](https://www.south-lanarkshire-college.ac.uk/about-us/procurement-policies/general-data-protection-regulation-gdpr/).

## Your responsibilities

The College strives to ensure your personal data remains accurate, to assist with this please ensure you keep your record up-to-date via the College Student Portal. For information on the College's Data Protection policies and procedures see <https://www.south-lanarkshire-college.ac.uk/about-us/procurement-policies/general-data-protection-regulation-gdpr/>.

## Complaints

If you think there is an issue in the way in which we handle your personal data, you have a right to raise a complaint with the Information Commissioner's Office at <https://ico.org.uk/>. Their website contains details of how to make a complaint.

However, we request that you raise the issue with our Data Protection Officer in the first instance.

## **Status of this Privacy Notice**

We will keep this privacy notice under regular review and will place any updates on the College website.

This Privacy Notice was last reviewed on 25<sup>th</sup> May 2024.



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