

## **Privacy Notice 2020/21 (How we use Learner information)**

### **The categories of this information that we collect, process, hold and share include:**

- personal information (such as name, unique learner number, address, telephone numbers, email address, post code, nationality, date of birth, national insurance number, employment status, benefit type, previous qualifications and attainment, household details, next of kin)
- characteristics (such as ethnicity, disability / learning difficulties, marital status, sexual orientation, religion)
- course details (such as start date, end date, attendance record, qualification title, learning aim reference, guided learning hours, venue location, support needs, and achievements).
- further detailed information we collect for the Education & Skills Funding Agency (ESFA) and Liverpool City Region (LCR) can be found in the ILR specification 2020/21

### **Why we collect and use this information**

We use learner data to:

- enable us to carry out specific functions for which we are responsible
- derive statistics which inform decisions such as the funding of qualifications
- assess performance and to set targets for colleges and training providers
- enable us to support learners into employment or volunteering
- to contact learners in the event of emergency or course cancellation

### **The lawful basis on which we use this information**

We collect and use this information under the provisions and obligations imposed by the General Data Protection Regulation (GDPR) which came into force on 24<sup>th</sup> May 2016 and came into effect on the 25<sup>th</sup> May 2018.

The data is used by the ESFA (LCR) and the DfE to perform statutory functions on behalf of the Secretary of State as set out in the Apprenticeships, Skills, Children and Learning Act 2009 and for the exercise of functions of the Crown, a Minister of the Crown or that government department.

The lawful bases for the processing of this data are:

- Article 6 (1) (e) processing is necessary for the performance of a task carried out in the public interest or in exercise of local authority vested in the controller.
- Article 9 (2) (b) for employment, social security and social protection purposes.
- Article 9 (2) (j) for archiving, research and statistics purposes.

The data is also used by SCLS and Sefton Council to monitor Service provision and help plan for future curriculum development.

This is also collected under GDPR Article:

- Article 9 (2) (j) for archiving, research and statistics purposes.

## **Collecting this information**

Whilst the majority of learners information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

## **Storing this information**

We are obliged in our ( ESFA / LCR) contract to hold learner data from the 1<sup>st</sup> August 2020 and for six years after the end of the contract period of 31<sup>st</sup> July 2021. After which the information will be destroyed. The personal details listed above are securely held as a hard copy on site and digitally using a secure Management Information System, TERMS. The system is secure and bound by the GDPR legislation to securely hold the information.

## **Who we share this information with**

We routinely share learner information with:

- The Secretary of State for Education acting through the Education and Skills Funding Agency (ESFA) (LCR) an executive agency of the Department for Education.
- Where Learners claiming out of work benefits, ESFA/ LCR must provide data to the Secretary of State with responsibility for unemployment or their nominated representative in accordance with the requirements notified to SCLS.
- SCLS will provide awarding bodies with personal information to register learners for qualifications and to make certification claims. Awarding organisations are required to collect and validate the Unique Learner Number ULNs and provide candidate achievement data to the Learner Record Service (LRS) for all government funded learners
- SCLS will provide personal information to the Data Service to enable the Unique Learner Number (ULN) to be generated.
- SCLS will share information with Sefton@Work to provide impartial Information Advice and Guidance to support learners in making next steps. Sefton Community Learning Service will therefore provide Sefton@Work learner detail and course information including if learners have achieved.
- SCLS also shares learner and course information with other council departments eg Troubled Families team to support adults progressing into employment.

## Why we share this information

We share Learner data with the LCR/ ESFA and the DfE to perform statutory functions on behalf of the Secretary of State as set out in the Apprenticeships, Skills, Children and Learning Act 2009 and for the exercise of functions of the Crown, a Minister of the Crown or that government department. This data sharing underpins provider funding, educational attainment policy and monitoring and enables them to: produce statistics, assess our performance, determine the destinations of learners after they have left school or college and to evaluate Government funded programmes.

We do not share information about Learners without consent unless the law and our policies allow us to do so.

## Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

## The Personal Learning Record and Unique Learner Number (ULN)

The Personal Learning Record is an online record which includes learning achievements and verified qualifications such as GCSEs, NVQs, BTEC awards, and A levels, as well as work-based learning which learners have achieved from the age of 16.

Higher education admission tutors will need the learner's ULN to access the Personal Learning Record, should they want to verify entry qualifications that are not currently provided by UCAS.

A benefit of using the ULN – for both students and HE providers – is that higher education applications and course registrations can be processed without applicants having to provide paper qualification certificates.

Learners can access their Personal Learning Record to view their verified qualifications through the Lifelong Learning Account (which can be viewed from [nationalcareersservice.direct.gov.uk](http://nationalcareersservice.direct.gov.uk)).

In addition, UCAS and the Learning Records Service are exploring how the ULN could be used to streamline applications to higher education. Higher education qualifications can be uploaded by universities and higher education providers into the Learner Record Service, enabling learners to share their qualifications online with employers and professional bodies, if they wish to do so.

To find out more:

Each ULN is issued and held by the LRS Organisation Portal.

The LRS Organisation Portal uses the number to index each learner's identity details, education and training qualifications within the Personal Learning Record (PLR) (<http://www.learningrecordsservice.org.uk/products/learnerrecord/>).

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the

data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to learner information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

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

## Requesting access to your personal data

Under data protection legislation, parents and learners have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your educational record held by their education provider, contact:

**Claire Maguire: Sefton Community Learning Service Tel 0151 934 2684**  
[claire.maguire@sefton.gov.uk](mailto:claire.maguire@sefton.gov.uk)

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed
- data portability in certain circumstances
- to lodge a complaint with the supervisory authority (the Information Commissioner's Office)

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## Further information

If you would like further information about this privacy notice, please contact:

**Information Management and Governance Lead (Data Protection Officer)**

**Tel. Catherine Larkin 0345 140 0845 email [ino.information@sefton.gov.uk](mailto:ino.information@sefton.gov.uk)**