



## Gateshead College Privacy Policy

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## ***Introduction***

Welcome to our privacy notice.

Gateshead College respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you.

This privacy notice is provided in a layered format so you can click through to the specific areas set out below. Alternatively, you can download a pdf version of the notice here: [LINK]. Please also use the Glossary to understand the meaning of some of the terms used in this privacy notice.

### **1. IMPORTANT INFORMATION AND WHO WE ARE**

### **2. THE DATA WE COLLECT ABOUT YOU**

### **3. HOW IS YOUR PERSONAL DATA COLLECTED?**

### **4. HOW WE USE YOUR PERSONAL DATA**

### **5. DISCLOSURES OF YOUR PERSONAL DATA**

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### **9. YOUR LEGAL RIGHTS**

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#### ***1. Important information and who we are***

#### **Purpose of this privacy notice**

This privacy notice aims to give you information on how Gateshead College collects and processes your personal data, including any data you may provide through this website or through engaging with Gateshead College for the provision of goods or services, including educational courses, training and work experience, placements, and apprenticeships.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements other notices and privacy policies and is not intended to override them.

#### **Controller**

Gateshead College is the controller and responsible for your personal data (collectively referred to as the College, "we", "us" or "our" in this privacy notice).

Gateshead College was established under the Further and Higher Education Act 1992 for the purpose of conducting Gateshead College. It is an exempt charity for the purposes of Part 3 of the Charities Act 2011. It is regulated by the Secretary of State for Education and the DfE as Principal regulator for all FE Corporations in England. The members of the Governing Body, who are trustees of the charity, are here [www.gateshead.ac.uk/about-us/college-governance/our-governors](http://www.gateshead.ac.uk/about-us/college-governance/our-governors)

We have appointed a data protection lead who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise [*your legal rights*], please contact the [DPLead@gateshead.ac.uk](mailto:DPLead@gateshead.ac.uk) using the details set out below.

#### **Contact details**

If you have any questions about this privacy notice or our privacy practices, please contact our data protection lead in the following ways:

Full name of legal entity: Gateshead College

Email address: [DPLead@gateshead.ac.uk](mailto:DPLead@gateshead.ac.uk)

Postal address: Baltic Business Centre, Quarryfield Road, Quarter, Gateshead NE8 3BE

Telephone number: 0191 490 0300

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK regulator for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

### **Changes to the privacy notice and your duty to inform us of changes**

We keep our privacy notice under regular review. This version was last updated on 01/09/2022 . Historic versions can be obtained by contacting us.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

### **Third-party links**

Our website may include links to third-party websites, plug-ins, and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

#### ***2. The data we collect about you***

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth, gender, ethnicity, passport number, copy of passport, driving licence number, copy of driving licence.
- **Contact Data** includes billing address, delivery address, email address and telephone numbers.
- **Learner Data includes** performance, **progress, teaching, learning, assessment, tracking and grade information, confidential and sensitive safeguarding information, disability and additional support needs information, medical information, enrolment and course information, examination and qualification information and certificates, learning agreement, investigation reports.**
- **Financial Data** includes bank account and payment card details, NI number, support needs, benefit letter, grant, and funding information.
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.

- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this website.
- **Profile Data** includes your username and password, purchases or orders made by you, your interests, preferences, feedback, and survey responses.
- **Usage Data** includes information about how you use our website, products, and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.
- **Criminal Conviction Data** information made available through DBS checks.

We also collect, use, and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

In certain circumstances we may collect **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, protected characteristics as prescribed by the Equality Act 2010, information through DBS checks, demographic data information about your health, and and biometric data). We may also in certain circumstances collect information about criminal convictions and offences.

### **If you fail to provide personal data**

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

### **3. How is your personal data collected?**

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact, Learner and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
  - apply for our services including educational courses and training;
  - request provision of services like placements or products or use of equipment or premises;
  - create an account on our website;

- subscribe to our service or publications;
  - request marketing to be sent to you;
  - enter a competition, promotion, or survey; or
  - give us feedback or contact us.
- **Automated technologies or interactions.** As you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies.
  - **Third parties or publicly available sources.** We will receive personal data about you from various third parties and public sources as set out below:
    - Technical Data from the following parties:
      - analytics providers such as Google based outside the UK;
      - advertising networks such as Google based outside the UK; and
      - search information providers such as Google based outside the UK].
    - Identity and Contact Data from publicly available sources such as Companies House and the Electoral Register based inside the UK.
    - Identity, Financial and Contact Data from government services such as Disclosure and Barring Service, HMRC, DWP, Local Authorities.
    - Identity, Contact, Financial and Learner Data from bodies including UCAS, ESF, other FE and HE education providers and schools, HEFCE, SFA, Student Loans, Ofsted, Department for Education, the ESFA and Office for Students.
    - Identity Contact and Learner Data from private and public sector employers.
    - Identity and Contact Data from healthcare providers including occupational health and NHS.
    - Criminal Conviction Data if a DBS check has been carried out and is brought to our attention via a background check.

#### 4. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract, we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal obligation.
- Where we are protecting your vital interests or those of another.
- Where we are performing a task in the public interest as an education provider incorporated by statute.

[Click here](#) to find out more about the types of lawful basis that we will rely on to process your personal data.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending third party direct marketing communications to you via email or text message and in some circumstances may need consent to process your [Special Category Data](#). Otherwise, the purposes for which we will use your personal data are set out in the table in the section headed [Purposes for which we will use your personal data](#).

You have the right to withdraw consent at any time by contacting us.

#### **Purposes for which we will use your personal data**

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground, we are relying on to process your personal data where more than one ground has been set out in the table below.

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
To register you as a new customer or learner	(a) Identity (b) Contact (c) Learner (d) Financial	(a) Performance of a contract with you (b) Necessary for our legitimate interests
To process and deliver your order for goods or services or respond to your enquiry, including: (a) Manage payments, fees, and charges	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)

(b) Collect and recover money owed to us	Communications (f) Learner (g) Profile	
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy notice (b) Asking you to leave a review or take a survey (c) Recording and updating your education record and sharing the same with other third parties involved in your education provision (d) Recording your special category data in relation to your education progression, to enable us to meet your needs, manage incidents, concerns, or claims, to meet our reporting obligations, with regard to your welfare, and/or manage our operation and business	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications (d) Learner	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services) (d) Necessary for performance of a task carried out in the public interest (e) Necessary to protect your vital interests or those of another
To enable you to partake in a prize draw, competition or complete a survey	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business)
To administer and protect our business and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical (d) Financial (e) Learner	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation

To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical (g) Learner	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage (c) Learner (d) Financial (e) Profile	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications (g) Learner	Necessary for our legitimate interests (to develop our products/services and grow our business)

### **Processing Special Category Data and Criminal Conviction Data**

We may process Special Category Data in the following circumstances:

- in limited circumstances, with your explicit written consent;
- where we need to carry out our legal obligations;
- where it is needed in the public interest; and/or
- where it is necessary to protect your or another person from harm.

We may process Criminal Conviction Data in the following circumstances:

- where it is necessary in relation to legal claims,
- where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent;
- where you have already made the information public; and/or
- with your explicit written consent.

### **Marketing**

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

#### **Promotional offers from us**

We may use your Identity, Contact, Technical, Usage, Profile, Marketing and Communications and/or Learner Data to form a view on what we think you may want or

need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or purchased goods or services from us and you have not opted out of receiving that marketing.

### **Third-party marketing**

We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

### **Opting out**

You can ask us or third parties to stop sending you marketing messages at any time by logging into the website and checking or unchecking relevant boxes to adjust your marketing preferences.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a product/service purchase, product/service experience or other transactions.

### **Cookies**

Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our website.

A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your computer if you agree. You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly.

You can find more information about the individual cookies we use and the purposes for which we use them in the table below:

Cookie	Domain Type	Description	Duration
test_cookie.doubleclick.net	Advertisement	The test_cookie is set by doubleclick.net and is used to determine if the user's browser supports cookies.	15 minutes
_fbp.gateshead.ac.uk	Advertisement	This cookie is set by Facebook to display advertisements when either on Facebook or on a digital platform powered by Facebook advertising, after visiting the website.	3 months
fr.facebook.com	Advertisement	Facebook sets this cookie to show relevant advertisements to users by tracking user behaviour across the web, on sites that have Facebook pixel or Facebook social plugin.	3 months
october_sessiongateshead.ac.uk	Analytics	This cookie is used for identifying the user session by assigning an unique ID for the users.	2 hours
_ga.gateshead.ac.uk	Analytics	The _ga cookie, installed by Google Analytics, calculates visitor, session and campaign data and also keeps track of site usage for the site's analytics report. The cookie stores information anonymously and assigns a randomly generated number to recognize unique visitors.	2 years
_ga.gateshead.ac.uk	Analytics	Installed by Google Analytics, _gid cookie stores information on how visitors use a website, while also creating an analytics report of the website's performance. Some of the data that are collected	1 day

		include the number of visitors, their source, and the pages they visit anonymously.	
_gat_UA-4241397-1.gateshead.ac.uk	Analytics	A variation of the _gat cookie set by Google Analytics and Google Tag Manager to allow website owners to track visitor behaviour and measure site performance. The pattern element in the name contains the unique identity number of the account or website it relates to	1 minute
_hjFirstSeen.gateshead.ac.uk	Analytics	Hotjar sets this cookie to identify a new user's first session. It stores a true/false value, indicating whether it was the first time Hotjar saw this user.	30 minutes
_hjAbsoluteSessionInProgress.gateshead.ac.uk	Analytics	Hotjar sets this cookie to detect the first pageview session of a user. This is a True/False flag set by the cookie.	30 minutes
__lc_cid.accounts.livechatinc.com	Functional	This is an essential cookie for the website live chat box to function properly	2 years
__lc_cst.accounts.livechatinc.com This cookie is used for the website live chat box to function properly.2 years	Functional	his cookie is used for the website live chat box to function properly	2 years
__oauth_redirect_detectoraccounts.livechatinc.com	Functional	This cookie is used to recognise the visitors using live chat at different times in order to optimize the chat-box functionality	past

## **Change of purpose**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

### **5. Disclosures of your personal data**

We may share your personal data with the parties set out below for the purposes set out in the table [*Purposes for which we will use your personal data*] above.

- External Third Parties as set out in the [Glossary](#).
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

### **6. International transfers**

We may transfer data within the EU for the purposes of use of data centres operated by our cloud providers.

#### **Data Leaving the EEA**

- Whilst the College carries out the majority of its data processing activity within the EEA, the College may process some of your personal data outside the EEA, but only within one of the following circumstances:
  - Where “appropriate safeguards” are put in place through contract;
  - Where the European Commission has agreed that the data protection provisions of the country/territory offer an adequate level of protection;
  - Where you have given your explicit consent.

## **7. Data security**

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

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

## **8. Data retention**

### **How long will you use my personal data for?**

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting, or other requirements.

Details of retention periods for different aspects of your personal data are available on request.

In some circumstances you can ask us to delete your data: see [[your legal rights](#)] below for further information.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

## **9. Your legal rights**

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please click on the links below to find out more about these rights:

- [[Request access to your personal data](#)].
- [[Request correction of your personal data](#)].
- [[Request erasure of your personal data](#)].
- [[Object to processing of your personal data](#)].
- [[Request restriction of processing your personal data](#)].
- [[Request transfer of your personal data](#)].

- [[Right to withdraw consent](#)].

If you wish to exercise any of the rights set out above, please contact us using the following details:

Full name of legal entity: Gateshead College

Email address: [DPLead@gateshead.ac.uk](mailto:DPLead@gateshead.ac.uk)

Postal address: Baltic Business Centre, Quarryfield Road, Quarter, Gateshead NE8 3BE

Telephone number: 0191 490 0300

**No fee usually required**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive, or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

**What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

**Time limit to respond**

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## **10. Glossary**

### **LAWFUL BASIS**

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal obligation** means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

**Special Category Data** includes information about your race or ethnicity, religious beliefs, sexual orientation and political opinions, health (including any medical condition), health and sickness records, genetic information, and biometric data. Special Category Data is considered as being sensitive personal data, which requires a higher level of protection. We need to have further justification for collecting, storing, and using this type of personal data.

**Criminal Convictions Data** includes information about your criminal convictions and offences.

### **THIRD PARTIES**

#### **External Third Parties**

- Service providers acting as processors who provide IT and system administration services including:
- MailChimp – an email service
- Jotform – a online form service
- Salesforce – a CRM service for our employer customers
- Message Media - a messaging service which enables us to send reminders about events, classes, college emergency closures etc.
- Livechat.com - a live text chat platform
- Zoom - a video chat platform
- Microsoft 360 – cloud based services (hosted within the EEA)

- Google Suite & Google Classroom – cloud based Education software
- Professional advisers including lawyers, bankers, auditors, and insurers who provide [consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities based in the United Kingdom who require reporting of processing activities in certain circumstances.
- Our business partners, including Connexions, Go NorthEast.
- Government bodies such as the Skills Funding Agency, the Education Funding Agency, ESF, Ofsted, the Department for Education, Disclosure and Barring Service, DWP, Local Authorities, HEFCE, SFA.
- Public bodies like Companies House and the Electoral Register, the NHS.
- Other entities such as UCAS other FE and HE education providers and schools and Student Loans.

## YOUR LEGAL RIGHTS

You have the right to:

**Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction of the personal data that we hold about you. This enables you to have any** incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful but you do not want us to erase it.
- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.