



How We Use Your Information Privacy Notice for Young People

Orchard Hill College

18 March 2018

Introduction

This notice is to help you understand **how** and **why** we collect your personal information and **what** we do with that information. It also explains the decisions that you can make about your own information.

The College Centres listed below are all part of Orchard Hill College. The College operates each College Centre and is ultimately responsible for how the College Centre handles your personal information.

- BedZED
- Beaconsfield Centre
- Lomond House
- Garrett House
- Quadrant House
- Green Man Skills Zone
- Vocational Centre (Nightingale)
- Vocational Progression Centre (VPC)
- 6TH Form (Hillingdon)
- Wyvern House

If you have any questions about this notice please talk to your Head of Centre.

What is "personal information"?

Personal information is information that Orchard Hill College holds about you and which identifies you.

This includes information such as your name, date of birth and address as well as things like exam results, medical details, unique pupil number and behaviour records. We will also hold information such as your religion or ethnic group to support your cultural requirements. CCTV, photos and video recordings of you are also personal information.

Our legal bases for using your information

This section contains information about the legal bases that we are relying on when handling your information.

The two tables below contain a general description of the different legal bases but we have also used a colour code system so that you can see which bases we are relying on for each of the purposes described at paragraphs 1 to 41 below.

Table 1

Legal obligation ("LO")

The College might need to use your information in order to comply with a legal obligation, for example to report a concern about your wellbeing to Children's Services. We will also have to disclose your information to third parties such as the courts, the local authority or the police where legally obliged to do so.

Vital interests ("VI")

In limited circumstances we may use your information to protect your vital interests or the vital interests of someone else (e.g. if you or they are seriously hurt).

Performance of a task carried out in the public interest ("PI")

This applies where what we are doing is for the benefit of the public generally. The following are examples of where this applies:

- providing you and others with an education;
- safeguarding and promoting your welfare and the welfare of your class students;
- facilitating the efficient operation of the College Centre; and
- ensuring that we comply with all of our legal obligations.

Legitimate interests ("LI")

This means that Orchard Hill College is using your information when this is necessary for the College's legitimate interests except when your interests and fundamental rights override our legitimate interests. We won't rely on this basis when your interests and fundamental rights override our legitimate interests.

We have a legitimate interest in using your information to:

- i. promote Orchard Hill College including fundraising and publicity;
- ii. preserve historical college records.

Orchard Hill College must also comply with an additional condition where it processes special categories of personal information. These special categories include: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, health information, and information about sex life or orientation.

Table 2

Substantial public interest ("SP")

Orchard Hill College is allowed to use special categories of personal information where doing so is necessary in the substantial public interest. This is similar to "public interest" in the table above. For example, the College will use information about your health to look after you. We may also use other types of special category personal data about you to provide you with an education, to look after you and your class students or when the College is inspected

Social protection and social security law ("ESP")

There will be times when Orchard Hill College needs to use your information because we are an employer (e.g. we employ your teachers). Also the College will use your information to comply with social protection law (e.g. to look after you) and social security laws (e.g. to provide you with free college lunches and specialist equipment if you are entitled to these). Social protection law is concerned with preventing, managing, and overcoming situations that adversely affect people's wellbeing.

Vital interests

In limited circumstances we may use your information to protect your vital interests or the vital interests of someone else (e.g. if you or they are seriously hurt).

Legal claims ("LC")

We are allowed to use your information if this is necessary in relation to legal claims. For example, this allows us to share information with our legal advisors and insurers. This applies whenever sharing special category data is necessary in relation to legal claims.

Medical purposes("MP")

This includes medical treatment and the management of healthcare services.

How and why does Orchard Hill College collect and use personal information?

We set out below examples of the different ways in which we use personal information and where this personal information comes from. The letters highlighted in different colours below refer to the legal bases we are relying on. Please see Table 1 and 2 above for an explanation.

1. Orchard Hill College's primary reason for using your personal information is to provide you with an educational programme - LO, PI, SPI.
2. Orchard Hill College will also use your personal information to safeguard and promote your welfare and the welfare of others (for example, so that we can look after you if you are hurt) - LO, PI, SPI, ESP, MP.

Admission and referral forms give us lots of personal information. We get information from you, your parents, carers, guardians, your tutors, other students and third party professionals, such as care managers and key workers who are involved with your care and well-being. Your old school/college or day care centre also gives us information about you so that we can teach and care for you and provide you with the learning resources you need for your college course.

Sometimes we get information from your doctors, community health care teams and other medical professionals where we need this to look after you.

3. We will use information about you during the admission and referral process and when we assess your needs. We may let your old school/college and your day care centre know if you have been offered a place at Orchard Hill College and will inform the Department for Education if a place on one of our courses is to be offered - LO, PI, SPI.
4. We will use information gained from the referral and assessment process to help with your Bursary application and will share this information with funding and awarding bodies, for example PLR, and Transport for London, to gain the resources you need to enrol and attend the programme you have chosen - LO, PI, SPI.
5. We need to tell the appropriate teachers, learning support staff and our medical health care team (Nurses and Therapists) of any health issue - LO, PI, SPI.
6. If we have information that you suffer from an allergy and/or a particular medical condition we will use this information so that we can look after you - LO, PI, SPI, V, MP.
7. We will need to tell your teachers and our learning support staff if you have special educational needs or need extra help with some tasks - LO, PI, SPI.
8. We will need to share information about you (e.g. about your health and wellbeing) with the College Nurses and Therapists so that they can support you with your health and medical requirements - LO, PI, SPI, ESP, MP.
9. We will need to share information about you with medical professionals, for example, CAMHS, GPs, dentists, opticians and other specialists so that we can keep you safe and healthy - LO, PI, SPI, ESP, MP.
10. If we have information that you suffer from a disability we will use information about that disability to provide support - LO, PI, SPI, ESP, MP.

11. Where appropriate, the College will have information about your religious beliefs and practices. For example, if you do not eat certain foods - **LO, PI, SPI**.
12. We use CCTV to make sure the College Centres are safe. CCTV is not used in private areas such as changing rooms - **LO, PI, SPI**.
13. We will be told if you receive free specialist equipment so that we can provide these - **LO, PI, SPI**.
14. We record your attendance and if you have time away from the College we record the reason(s) why - **LO, PI, SPI**.
15. We will need to report some of your information to the government (e.g. the Department for Education - EFSA). We will need to tell the local authority and the funding bodies that you attend the College, if you leave the College or let them know if we have any concerns about your welfare - **LO, PI, SPI, ESP**.
16. We will share information with local authorities, for example, SEND, so that you are provided with the resources, care and support you require to successfully access your college course -
17. We may need to share information about you with the Health and Safety Executive (a government organisation) if there is a health and safety issue at the College Centre - **LO, PI, SPI**.
18. We will need information about any court orders or criminal matters which relate to you. This is so that we can safeguard your welfare and wellbeing and the other students at Orchard Hill College - **LO, PI, SPI**.
19. We will need to share information with the Probation Service if you are under their guidance - **LO, PI, SPI**.
20. Depending on where you will go when you leave us we will provide your information to other colleges and universities, UCAS or potential employers. For example, we will share information about your exam results and provide references - **LO, PI, SPI**.
21. We may pass on information to your next college which they need to look after you, for example, information about any concerns we have had about your welfare - **LO, PI, SPI, ESP**.
22. When you take public examinations for accredited courses we will need to share information about you with accreditation boards. For example, if you require extra time in your exams - **LO, PI, SPI**.
23. The Learning Records Service (which is part of the government) will give us your unique learning number. We may receive details about you (e.g. your qualifications) from the Learning Records Service - **LO, PI, SPI, ESP**.
24. We will provide your information to the local authority so that they can provide careers advice. We may also share your information with the provider of youth support services - **LO, PI, SPI**.
25. Orchard Hill College is sometimes inspected to make sure that we are continuing to be a good college. We will have to make your information available to the inspectors to help them to carry out their job - **LI, LO, PI, SPI**.
26. If someone makes a complaint about how Orchard Hill College has behaved we may need to use your information to deal with this appropriately. For example, if your parents/carers complain that we have not looked after you properly - **LO, PI, SPI**.
27. We may need to share information about you with the police or our legal advisers if something goes wrong or to help with an enquiry. For example, if one of your classmates is injured at the College Centre or if there is a burglary - **LO, PI, SPI, LG**.

28. We use consultants, experts, auditors and other advisors to assist Orchard Hill College in fulfilling its obligations and to help run the College Centre properly. We will share your information with them if this is relevant to their work - **LO, PI, SP**.
29. We use our sponsored Multi-Academy Trust, Orchard Hill College Academy Trust, and advisors within the Trust to assist Orchard Hill College in fulfilling its obligations and in providing the resources you may require to successfully participate in a programme you wish to partake in. We will share information with the individual school within the Trust or our teams in Shared Services if this is relevant to their work and will support you with your course - **LO, PI, SP**.
30. If you have misbehaved in a serious way, we may need to share information with the police and we may need to use information about the action taken by the police - **LO, PI, SP, ESP**.
31. We may share some information with our insurance company to make sure that we have the insurance cover that we need - **LO, PI, SP, LC**.
32. We may use your information when responding to an incident, for example, if something is published on social media which concerns Orchard Hill College or our sponsored Multi-Academy Trust, Orchard Hill College Academy Trust - **PI, LI**.
33. We will share your academic and (where fair) your behaviour records with your parents or carers so they can support your learning - **LO, PI, SP, ESP**.
34. We will monitor your use of email, the internet and mobile electronic devices e.g. iPads. This monitoring is sometimes carried out using computer software. In certain circumstances we will look at the content of your communications (e.g. emails and text messages). We monitor and look at your use of technology (e.g. your use of your phone) to check that you and your class students are not misbehaving, at risk of harm or for other good reasons. If you would like more information about this you can read the acceptable use of IT policy or speak to your Head of Centre - **LO, PI, SP**.
35. We may use information about you if we need this for historical purposes. For example, if we consider the information might be useful if someone wanted to write a book about Orchard Hill College - **LI**.
36. We may use photographs or videos of you for the College and the Trust's website and/or prospectus to show prospective students what we do here and to advertise Orchard Hill College. We may continue to use these photographs and videos after you have left the College - **LI**.
37. Sometimes we use photographs and videos for learning purposes, for example, to record a learning activity or as part of a course visit - **LI**.

If you have concerns about us using photographs or videos of you please speak to your Head of Centre.
38. We publish our public exam results, sports fixtures and other news on the website and put articles and photographs in the local news to tell people about what we have been doing - **LI**.
39. We will keep details of your address when you leave so we can find out how you are getting on and to inform you of upcoming courses you may be interested in enrolling for. We may also pass your details onto our sponsored Multi-Academy Trust which is called Orchard Hill College Academy Trust. Further information on the Trust can be found here www.ohcat.org - **LI**.
40. Orchard Hill College must make sure that our computer network is working well and is secure. This may involve information about you, for example, our anti-virus software might scan files containing information about you - **LO**.

41. We may share information about you with the other College Centres and Academies within our sponsored Multi-Academy Trust. For example, we may share your test results to show how well you have done, or share information with them if they can give you the support that you need to access your chosen programme which your College Centre cannot provide for you- **LO**, **PI**, **SP**.

We will only share your information with other people and organisations when we have a good reason to do so. In exceptional circumstances we may need to share it more widely than we would normally.

We sometimes use contractors to handle personal information on our behalf. The following are examples:

- IT consultants who might access information about you when checking the security of our IT network; and
- we use third party "cloud computing" services to store some information rather than the information being stored on hard drives located on the College Centre site.
- IT software providers who might access information about you when troubleshooting databases to support the MIS team

If you have any questions about any of the above, please speak to your Head of Centre or class teacher.

Criminal offence information

In exceptional circumstances, we may use information about criminal convictions or offences. We will only do this where the law allows us to. This will usually be where such processing is necessary to carry out our obligations and to look after our students.

More than one basis

As you will see from the information, in some cases we will rely on more than one basis above for a particular use of your information. In addition, we may move from one of the legal bases listed above to another as circumstances change. For example, if we become really worried about your wellbeing, we may start to rely on legal obligation to share personal information with the local authority and medical professionals in addition to the other legal bases which are noted for looking after you.

Consent

We may ask for your consent to use your information in certain ways as an alternative to relying on any of the bases in the table above. For example, we will ask for your consent before taking or using some photographs and videos if the photograph or video is more intrusive and we cannot rely on our legitimate interests or it being in the public interest. If we ask for your consent to use your personal information you can take back this consent at any time.

Any use of your information before you withdraw your consent remains valid. Please speak to your Head of Centre or your parent/carer if you would like to withdraw any consent that you have given.

Sending information to other countries

We may send your information to countries which do not have the same level of protection for personal information as there is in the UK. For example, we may:

- store your information on cloud computer storage based overseas; or
- communicate with you by email when you are overseas (for example, when you are on holiday).

The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here: http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm

If the country that we are sending your information to is not on the list, or is not a country within the EEA (which means the European Union, Liechtenstein, Norway and Iceland), then it might not have the same level of protection for personal information as there is in the UK.

We will provide you with details about the safeguards which we have in place outside of this privacy notice. If you have any questions about the safeguards that are in place please contact your Head of Centre or teacher.

For how long do we keep your information?

We keep your information for as long as we need to in order to educate and look after you. We will keep some information after you have left Orchard Hill College, for example, so that we can find out what happened if you make a complaint.

In exceptional circumstances we may keep your information for a longer time than usual, but we would only do so if we had a good reason and only if we are allowed to do so under data protection law.

Please see our Information and Records Retention Policy for more detailed information. This can be found on our website here https://www.orchardhill.ac.uk/about_us/policies/

What decisions can you make about your information?

From May 2018 you will be able to make various decisions about your information. Some of these are new rights whilst others build on your existing rights. Your rights are as follows:

- **Rectification:** if information is incorrect you can ask us to correct it.
- **Access:** you can also ask what information we hold about you and be provided with a copy. This is commonly known as making a subject access request. We will also give you extra information, such as why we use this information about you, where it came from and what types of people we have sent it to.
- **Deletion:** you can ask us to delete the information that we hold about you in certain circumstances. For example, where we no longer need the information.
- **Portability:** you can request the transfer of your information to you or to a third party in a format that can be read by computer in certain circumstances.
- **Restriction:** our use of information about you may be restricted to simply storing it in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy.
- **Object:** you may object to us using your information where:
 - we are using it for direct marketing purposes (e.g. to send you the Orchard Hill College & Academy Trust newsletter);
 - the legal basis on which we are relying is either legitimate interests or performance of a task carried out in the public interest. Please see the section "Our legal bases for using your information" above; and
 - we are using it for historical or scientific research purposes or archiving purposes. For example, we may keep photographs of your class for historical reasons.

Your Head of Centre can give you more information about your data protection rights.

Further information and guidance

This notice is to explain how we look after your personal information. Your Head of Centre can answer any questions which you might have.

Please speak to your Head of Centre or your teacher if:

- you would like to exercise any of your rights listed above; or
- you would like us to update the information we hold about you; or
- you would prefer that certain information is kept confidential.

Orchard Hill College has a Data Protection Officer who can be contacted by email (data.protection@ohcat.org), by post to Orchard Hill College & Academy Trust, Quadrant House, 8th Floor, The Quadrant, Sutton, SM2 5AS, or by telephone 0345 402 0453. The Data Protection Officer monitors and advises on the College's data protection compliance.

You can ask your Head of Centre to speak to the Data Protection Officer or speak to the Data Protection Officer yourself. Alternatively, you can ask your parents or carers to speak to us on your behalf if you prefer.

If you consider that we have not acted properly when using your personal information you can contact the Information Commissioner's Office: ico.org.uk.

