

# Privacy Notice

This document describes how and why we collect, store, protect, process and share personal information about you.

We do this to process your enrolment forms when you apply to participate in a learning activity and to otherwise support the delivery of Community Learning in West Berkshire.

Date of Issue: 23 May 2018

Update History:

Version 1	First issue of a new Privacy Notice
13 April 2022	Minor amendment to contact details of the Data Protection Officer

Directorate: Communities

Service: Education

Team: Community Learning

## About the Organisation

West Berkshire Council is the Data Controller. This means it is ultimately responsible for the data it holds about you.

Contact Address:

West Berkshire Council  
Market Street  
Newbury  
Berkshire  
RG14 5LD

ICO Registration Number: **Z6825178**

<https://ico.org.uk/ESDWebPages/Entry/Z6825178>

## The Data Protection Officer

Contact details for the Data Protection Officer at the Council can be found at:

[www.westberks.gov.uk/dpofficer](http://www.westberks.gov.uk/dpofficer)

## What data will we collect about you?

Personal information is collected from you when you complete:

- An enrolment form
- An individual learning plan
- A post course evaluation form

We are required to collect and hold the following information under government rules (see “What will we use your data for?” below for more information):

- your name
- gender
- date of birth
- ethnicity
- address, telephone number, email address
- nationality (including, where applicable, the length of time you have been resident in the UK or EEA).

If you attend one of our accredited qualification courses we are also required to collect and hold information about your household situation. This includes whether or not you are the only adult in the household, if any adults in the household are in work, and if there are any children living in the household. It also includes your National Insurance number, employment status and the length of time you have been in this employment.

Other types of information collected and held include your highest previous qualification, if you have achieved level 2 in maths or English and any learning difficulties and/or disabilities you have that may impact on your learning.

### **What will we use your data for?**

West Berkshire Council receive Adult Education Budget (AEB) funding from the Department for Education via the Education and Skills Funding Agency (ESFA) to support the delivery of education to adults over the age of 19 years.

To receive the funds the service must comply with the ESFA Funding Rules which state we have to collect certain data from you when you enrol upon a course, draw up an individual learning plan or complete post-course evaluation forms. You can read the rules online at <https://www.gov.uk/guidance/sfa-funding-rules>

We collect “special category” data in respect of any learning difficulties or disabilities you have in order to make sure that providers can make adjustments for you to learn effectively. We only use this data for that purpose, and it is only shared with the express purpose of ensuring you can access learning that is in line with the requirements of The Equality Act 2010. We are required to collect and process this data as a condition of receiving funding under SFA funding rules.

The data may be also be used to carry out research on the impact of the courses and/or promote other courses or learning opportunities.

### **Who will see your data?**

Your data will be seen by your course provider and authorised employees in the Council’s Community Learning service. If it is used for marketing and research purposes

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it may also be seen by third party organisations contracted by the Council to carry out this role.

The ESFA reserve the right to access these records as part of any audit they undertake in order to satisfy themselves that learners exist and the funding is being used in accordance with the ESFA Funding Rules. The ESFA Privacy Notice is available here <https://www.gov.uk/government/publications/esfa-privacy-notice>

### **Why are we doing this?**

We are legally processing your personal data through your contract (the enrolment form) to attend an Adult Education Budget funded course. This part of the processing is necessary to provide you with the service you have requested.

The Community Learning service is provided by the Council in its role as a public authority, acting in the public interest. As such, some processing will take place for these purposes.

There is also a legal basis for the processing we undertake, as the Apprenticeships, Skills, Children and Learning Act 2009 requires the Council to create and maintain a unique learner number (ULN) and a personal learning record (PLR).

You are under no obligation to give the Council permission to use your data for marketing and research purposes, it's your choice. This is clearly marked on the enrolment form as an "opt-in". If you don't wish to be contacted, simply leave the relevant boxes blank. If you opt-in and subsequently decide you don't wish to hear from the Council in the future, just let us know by responding to the emails you receive – we'll remove you from the distribution list.

### **How long will your data be kept?**

You have a number of rights when it comes to the data we hold about you. These are detailed on our request form ([www.westberks.gov.uk/dprequest](http://www.westberks.gov.uk/dprequest) ) that also allows you to make a request for us to take action about something.

### **How is your data stored and processed?**

All your data is put on to Learner Track which is a secure database and management information system designed to support ESFA funded services. Learner Track sends extracts of data to the ESFA five times a year.

Your paper records are initially stored securely in locked filing cabinets at either West Berkshire Council or your course provider's premises. At the end of the academic year the records are sent to the Council's secure storage area and stored in accordance with the Council's archiving policy.

### **Transfer overseas**

Your data will not be stored or sent outside of the UK.

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## **Complaints**

If you've already told us we need to do something, but we haven't responded in a way you're satisfied with, you can complain to the Information Commissioner's Office (the ICO). It's easiest to do this online via the ICO website (<https://ico.org.uk/concerns/handling/> ), but you can also do so in writing to:

The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

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