

Data Protection Notice

Please read this data protection notice carefully. It applies to applicants who have applied and students who have enrolled with The Manchester College (“**Students**”) together with individuals aged 14+ participating in the information, advice and guidance programme of The Manchester College (“**Prospective Students**”), and parents/guardians of Students (as may be applicable) (together “**You**” or “**Your**”).

1. What is the purpose of this document?

LTE Group (a statutory corporation and an exempt charity for the purposes of the Charities Act 2011), of which The Manchester College is an operating division (“**LTE Group**”, “**We**”, “**Our**”, “**Us**”), is committed to protecting the privacy and security of your personal information. This data protection notice describes how we collect and use personal information about you in accordance with the Data Protection Act 2018 and the General Data Protection Regulation EU 2016/679 (the “**GDPR**”), together with other UK data protection laws. More information can be found at: <https://www.ltegroup.co.uk/privacy-foi>. You can contact us via email to dpo@ltegroup.co.uk if you have any questions regarding this document.

For the purposes of this document we are a "data controller", however in some instances other authorities/agents/regulatory bodies (such as the Local Authorities and the Education and Skills Funding Agency) will act as data controllers in their own right, for your personal information. Whether we are acting as a data controller, processor or joint controller, LTE Group is responsible for ensuring your data is handled in a secure way and we have included in this document all of the privacy information that you should be aware of. As a data controller we are responsible for deciding how we hold and use any personal information about you. We are required, under data protection legislation, to notify you of the information contained in this document. This notice explains what personal data LTE Group holds about you, how we share it, how long we keep it and what your legal rights are in relation to it.

2. Data protection principles

We will comply with UK data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary, for the purposes we have told you about.
6. Kept securely.

3. The kind of information we hold 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).

There are "special categories" of more sensitive personal data which require a higher level of protection.

Students

If you are a Student the categories of personal information that we may collect, store, and use about you include:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Date of birth
 - *This is required to ensure that you are directed to the most appropriate department/course*
- Gender
- Next of kin and emergency contact information
- National Insurance number
- Bank account details and tax status information
- Financial support information
- Household situation
- Education, health and care plan information (EHCP)
 - *The Local Authority is the source for this information, which is used to support where relevant during the duration of your studies.*
- Employment status
- School or previous education provider
- School name and school contact details including telephone numbers
- Academic records including examination results
- Unique student number
- Photo ID
- CCTV images

We will also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race, religion, nationality or ethnicity.
- Information about your sexual orientation.
- Information about your health, including any medical condition or injuries.
- Information about criminal convictions and offences - we may collect, store and use information about criminal convictions and offences through checks we make through the Disclosure and Barring Service (DBS).

Prospective Students

If you are a Prospective Student the categories of personal information that we may collect, store, and use about you include:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Date of birth
- Gender
- Next of kin and emergency contact information

- National Insurance number
- Support needs, predicated grade or qualifications
- School or previous education provider
- Course interests
- CCTV images (if you are a visitor to any of our campuses)

Parents/Guardians

If you are a parent/guardian of a Student and/or a Prospective Student the categories of personal information that we may collect, store, and use about you include:

- Personal contact details such as name, title, addresses, telephone numbers and personal email addresses.
- CCTV images (if you are a visitor to any of our campuses)

4. How is your personal information collected?

We typically collect personal information about Students through the information you provide to us during the enquiries/application/enrolment process.

We also collect personal information about parents/guardians, where relevant. We collect information about parents/guardians from the Students or from parents/guardians themselves.

We may collect other additional personal information in the course of our relationship with you.

5. How will we use information about you

Comprehensive details of how we use your personal information is available on request from dpo@ltegroup.co.uk

In summary:

Students

If you are a Student we use your personal information as follows:

- For educational purposes of LTE

Our lawful basis for these activities is that the processing is necessary for the performance of a task (education) carried out in the public interest.

- Equal opportunities monitoring

Our lawful basis for these activities is to comply with our funding obligations, in line with the Education and Skills Funding Agency and to carry out our duty, in the public interest. More information can be found on Equality and Diversity policy at: <https://www.tmc.ac.uk/about/equality-and-diversity>

- Complying with health and safety obligations

Our lawful basis for these activities is that they are necessary for us to comply with our legal obligations.

- Research and planning purposes within the LTE Group

From time to time, as an education provider, we conduct research to help us improve our educational offer (such as seeking feedback from students). We usually rely on public task as our lawful basis to do this, to help us improve our services in education and continuous improvement. In some cases, it may be that we've identified there may be a legitimate interest to carry out certain processing, otherwise we will always look to

gain consent from individuals (such as for conducting telephone questionnaires with students about their experience with us).

Prospective Students

If you are a Prospective Student we use your personal information as follows:

- To assist with personal data capture of Prospective Students and to contact you in relation to your participation in our Information, Advice and Guidance Programme.

Our lawful basis for these activities is necessary for performance of that “contract” with you (namely your participation in our programme), or to take steps at your request prior to your enrolment in any programme or activity.

- Research and planning purposes within the LTE Group

From time to time, as an education provider, we conduct research to help us improve our educational offer (such as seeking feedback from students). We usually rely on public task as our lawful basis to do this, to help us improve our services in education and continuous improvement. In some cases, it may be that we’ve identified there may be a legitimate interest to carry out certain processing, otherwise we will always look to gain consent from individuals (such as for conducting telephone questionnaires with students about their experience with us).

- To support your application to study

We may use your information to get in touch with you if you have made an application to study, or if you have recently attended an event and indicated an interest in studying with The Manchester College. Our lawful basis for these activities is to support our core purpose (public task) and is necessary for the performance of a contract, and/or in order to take steps at the request of the data subject, prior to entering into a contract.

Parents/guardians of Students and/or Prospective Students

If you are a parent/guardian of a Student we use your personal information as follows:

- To assist with personal data capture of a Student and to contact you in relation to your child’s participation in our courses at The Manchester College.

Our lawful basis for these activities is that the processing is necessary for the performance of a task (education) carried out in the public interest.

If you are a parent/guardian of a Prospective Student we use your personal information as follows:

- To assist with personal data capture of a Prospective Student and to contact you in relation to your child’s participation in our Information, Advice and Guidance Programme.

Our lawful basis for these activities is necessary for performance of that “contract” with you (namely your participation in our programme), or to take steps at your request prior to your enrolment in any programme or activity.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

We may also use your personal information, typically in an emergency, where this is necessary to protect your vital interests, or someone else’s vital interests. In a small number of cases where other lawful bases do not apply, we will seek your consent to other uses of your personal data.

6. If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to provide you with education or access to our programmes, or we may be prevented from complying with our legal obligations (such as equal opportunities monitoring).

7. Change of purpose

We will only use your personal information 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 we need to use your personal information 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 information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

8. How we use particularly sensitive personal information

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations and in line with our data protection policy.
3. Where it is needed in the public interest, such as for equal opportunities monitoring and in line with our data protection policy.
4. Where it is needed to assess capacity to participate in our programmes on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We will use your particularly sensitive personal information in the following ways:

- We will use information about your physical or mental health, or disability status, to ensure your health and safety when participating in our programmes and to assess your fitness to participate in our programmes and to provide appropriate adjustments.
- We will use information about your race, or national or ethnic origin, to ensure meaningful equal opportunity monitoring and reporting.

Do we need your consent?

We do not need your consent if we use special categories of your personal information to carry out our legal obligations. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

9. Information about criminal convictions

We will only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

Our lawful basis for these activities may be:

Necessary for the performance of a contract to which the data subject is party, or in order to take steps at the request of the data subject prior to entering into a contract

Necessary for compliance with a legal obligation

Necessary in order to protect the vital interests of the data subject and/or other students

Necessary for the purposes of public interests pursued by LTE Group

We have in place an appropriate policy and safeguards which we are required by law to maintain when processing such data.

10. Automated decision-making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

1. Where we have notified you of the decision and given you 21 days to request a reconsideration.
2. Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
3. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

11. Data Sharing

We may pass your personal information on to third party technology providers including, schools, employers, potential employers, ESFA, Student Loans Company, Compass, ALPS, LPUK, J2 Research, Greater Manchester Combined Authority, Manchester City Council (other local authorities, if applicable), QDP, Student Records Service, UCAS online application (application process), My Concern (for recording safeguarding information), WPM (payment platform), GM schools, Universities, Ofsted, Uexplore, TxtTools (enrolment process) and Constant Contact (communication tool*) in relation to the enrolment and management of our educational services.

We may sometimes be obliged to disclose your personal information by law, such as by a regulator with appropriate power, or court order. In addition, information held by or for public bodies can be subject to freedom of information requests, however any information disclosed would not breach your privacy rights.

We will not transfer your data outside of the European Union without first notifying you of our intentions and of the safeguards that apply to your data.

*We may occasionally use other third party communication tools, such as Survey Monkey or Mailchimp. However, they would only receive basic identifiers, such as an email address. We would always ensure their security of your information first and you do not have to respond to these, if you choose not to.

12. Photography and Videography

From time to time, photographs and videos are taken on and off campus as part of college life and for marketing, security (ID passes), educational, assessment and promotional purposes. These images could be used in print and digital media formats including, but not limited to: print publications, websites, e-marketing, poster banners, advertising, film, social media, teaching and research purposes. Publications, such as website and promotional material, will never be used without your consent. We do this to help showcase the work we do as an education provider and to support what our students are achieving. We believe there are many benefits in using photo and video to support our College community in this way, however we will always ensure we are complying with the Data Protection Act 2018 and the GDPR, with regards to how we are handling, storing and retaining this information where it is relevant. The principles of the GDPR do not apply to photos and videos that are taken for personal use.

Our lawful basis for these activities is necessary for the purposes of public interest and consent, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child. Images obtained by the College will not be kept for longer than necessary and will not be used other than for their original purpose. Data subjects may withdraw their consent at any time and all images will be removed from the College drive immediately, however withdrawal of consent will only affect further processing.

13. Complaints

Data will be collected and shared internally as part of our complaint investigation process. Our policy can be viewed at: <https://www.tmc.ac.uk/sites/default/files/policies/LTE%20Complaints%20Policy.doc>. All information will be handled in accordance with the GDPR and Data Protection Act 2018, and only shared with members of staff who need to know as part of the complaint investigation process.

14. CCTV

The CCTV system is owned by LTE Group, trading as The Manchester College, and managed by the College and its appointed agents. Under the Data Protection Act 2018, The Manchester College is the 'data controller' for the images produced by the CCTV system. The CCTV system are compliant with the requirements of the Data Protection Act. Signs are placed around campuses in order to inform staff, students, visitors and members of the public that CCTV is in operation. In its administration of its CCTV system, the LTE Group complies with the Data Protection Act 2018 and the GDPR. Due regard is given to the data protection principles embodied in the Data Protection Act and within Article 5 of the GDPR.

The principal purposes of the College's CCTV system are as follows: crime prevention, campus security, health and safety - to assist in the investigation of suspected breaches of College regulations by staff, students or the general public. The College seeks to operate its CCTV system in a manner that is consistent with respect for the individual's privacy.

Cameras are not monitored, unless responding to an incident identified on campus and are kept in a secure area. The cameras installed provide images that may be of suitable quality for the specified purposes for which they are installed, the images are retained for no longer than 14 - 21 days from the date of recording. All images recorded by the CCTV System remain the property of the College. The monitoring, viewing of, recording of staff activities will be carried out in accordance with policies and the LTE employment practices.

LTE Group full CCTV Policy is available on request.

15. Data security

We have put in place measures to protect the security of your information and in particular:

- We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a legitimate need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

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

Details of these measures may be obtained from us on request.

16. Data retention

How long will you use my information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for. Details of retention periods for different aspects of your personal information are available in our retention policy which is available on request from dpo@ltegroup.co.uk

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 requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

Once we no longer require access to your personal information we will retain and securely destroy it in accordance with our data retention policy and applicable laws and regulations.

17. Rights of access, correction, erasure, and restriction

Your duty to inform us of changes

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

Your rights in connection with personal information

Under certain circumstances, by law, you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information 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.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.
- **Suspend processing of your personal information**, for example if you want us to establish the accuracy of the data we are processing.

Please be aware that these rights are subject to certain conditions and exceptions, as set out in UK data protection law. If you want to review, verify, correct or request erasure of your personal information, object to the processing of your

personal information, or request that we transfer a copy of your personal information to another party, please contact us via email to dpo@ltegroup.co.uk

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such 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 the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Further guidance on your rights is available from the Information Commissioner's Office (<https://ico.org.uk/>). You have the right to complain to the Information Commissioner's Office at <https://ico.org.uk/concerns> if you have any concerns in respect of our handling of your personal information.

Changes to this document

We reserve the right to update this document at any time, for example if the law or regulatory requirements change, if technology changes or to make LTE's operations and procedures more efficient, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.