**APPRENTICE PRIVACY NOTICE 2019/20**

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| **Version**  | **Issue Date**  | **Revision Description**  | **Author**  | **Next Review Date**  |
| 1.0  | July 2019  | First Issue  | Rhys Davies | June 2020  |
| 2.0 | 13 August 2019 | Amendment | Rhys Davies | June 2020 |

**Apprentice Privacy Notice**

The University of South Wales is the data controller and the University’s Data Protection Officer can be contacted through dataprotection@southwales.ac.uk. The University is committed to protecting the rights of individuals in line with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

Certain areas within the University have privacy notices in place relating to their collection and use of personal data – this would include, but is not limited to; the Sport Centre, Accommodation Services and AZO. Where this is the case, the privacy notice will be available at the point of collection.

**What information do we collect?**

The University collects information in relation to its Apprentices at various points through the Apprentice journey. Personal data is collected at the application stage, at enrolment and throughout the period of study to form the Apprentice record. Type of personal data processed includes, though is not limited to, the following:

* Contact details and other information submitted during the application and enrolment processes.
* Details of courses, modules, timetables and room bookings, assessment marks and examinations.
* Financial and personal information collected for the purposes of administering: Apprentice funding, fees and charges, financial support schemes (scholarships, bursaries and hardship funds).
* Photographs, and video recordings for the purpose of recording lectures, Apprentice assessment and examinations.
* Information about an individual’s engagement with the University such as attendance data, use of electronic services such as UniLearn (Blackboard), UniLife, library, panopto and other university systems”
* Contact details for an emergency contact to be used in an emergency/where there are concerns regarding health and wellbeing (The University will assume that Apprentices have confirmed with the next of kin on the use of their data prior to providing the University with their data).
* Details of those with looked after status or those who have left the care system - for the provision of support.
* Information related to the prevention and detection of crime and the safety and security of staff and Apprentices, including, but not limited to, CCTV recording and data relating to breaches of University regulations.
* Information gathered for the purposes of equal opportunities monitoring.
* Information relating to the provision of advice, support and welfare, such as data relating to the use of the services offered by the Student Services, Learning Services and the Advice Zones.
* Information about an individual’s use of our information and communication systems including IP address, browser type and operating system.
* Attendance and engagement information.
* Information on access to rooms and buildings when the ID card is used to open a locked room.
* For international Apprentices: Copies of passports, visas, biometric data (to record attendance) and any other documents required to ensure compliance with Home Office requirements as well as information collected in relation to attendance.
* For Apprentices on certain courses such as healthcare, teaching, social worker courses records relating to suitability checks including DBS.
* Information collected for administration of trips, visits and events.
* Records relating to an individual’s studies at the University or at another institution or partner when a placement is undertaken away from the University.
* The University collects information on Welsh language skills for the purpose of Welsh medium provision.
* Information relating to careers advice and work experience.

**How is data used?**When Apprentices enrol the University will be required to collect, store, use and otherwise process data for any purposes connected with studies, health and safety and for other reasons deemed necessary for the performance of the contract with the University. The University will also use personal data for certain purposes after graduation.

The University will use data fairly and lawfully in accordance with its obligations under the Data Protection Act 2018 as well as under the General Data Protection Regulation. This means that data will be processed in a way which respects the data protection principles and the individual rights.

Although it is not possible to state every purpose for which personal information will be used, the following are examples of how it is likely to be used:

* In order to enrol the Apprentice on the course, for course administration and to record academic achievement (for example – course choices, examinations and assessments)
* To assist in pastoral and welfare needs (e.g. the counselling service and services to Apprentices with disabilities).
* To enable the University to evidence achievement
* To carry out investigations in accordance with academic and misconduct regulations.
* To operate security, disciplinary, complaint and quality assurance processes.
* To administer the financial aspects of Apprentice registration (such as payment of fees and debt collection).
* To fulfil any legal requirements, for example those conferred upon the University under the Prevent strategy.
* To administer support for employability needs.
* To provide or offer facilities and services to Apprentices (e.g. library access, printing, computing, sports facilities, accommodation).
* To manage our estate, ensure health, safety and security of staff, Apprentices and visitors on campus.
* For insurance purposes e.g. where the University arranges provision for field trips or where claims are made.
* To ensure the health and safety of Apprentices whilst registered at the University and to assess fitness to study, travel, take part in placements, provide appropriate reasonable adjustments and where requested, to make decisions relating to applications for mitigating circumstances
* For certain courses of study, placements and work opportunities individuals will be required to undertake a DBS check.
* To produce management statistics/reports, to conduct research into its work, the effectiveness of University programmes of study as well as produce statistics for statutory purposes.
* In order to provide overseas Apprentices with support and advice on a range of issues such as immigration, cultural issues and welfare.
* For Higher Education Statistics Agency (HESA) purposes, the University is required to send information collected in respect of Apprentices to HESA statistical and analysis. Further information is available through [HESA.](https://www.hesa.ac.uk/about/regulation/data-protection/notices)
* To enable HESA (and/ or a third party under contract) to conduct the [Graduate Outcomes](https://www.graduateoutcomes.ac.uk/) Survey following graduation.
* To monitor engagement of Apprentices on Tier 4 Visas to ensure compliance with the terms of their sponsorship. Attendance will be monitored via Biometric data/scanning.
* To monitor the University’s responsibilities under equal opportunity policies.
* To maximise an individual’s opportunities to succeed through the use of learning analytics. The University records behaviour and interactions with the University’s systems which are used as an indicator of engagement and progress. This information is analysed and used to help course teams identify Apprentices who may be at risk of withdrawing from their study. It is also used to indicate to the University that an Apprentice’s course engagement may have fallen below expectations, so that the lack of engagement process can be initiated.

Data provided at enrolment (such as educational attainment prior to study at USW, address, age), information on course progression and information on behaviour and interaction is kept for future analysis and research to aid our understanding of the Apprentice population and in learning analytics. Further information is available within the ‘[Learning Analytics Student Guide](http://uso.southwales.ac.uk/uso/ig/dp/la/)’.

This processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
The University would also like to use information around ethnicity of the Apprentice population which would further enrich its datasets and enable the University to improve analysis based on a more individual level in the future. The University will only process this information with the individual’s consent.

* To conduct surveys at various stages of the Apprentice lifecycle to gather feedback on the Apprentice experience in order that the University can review its provision.
* To enable Apprentices to participate in Student Union activities and elections.
* To film and record certain lectures. Please note that Apprentices are not the subject of these recordings.
* The University provides Apprentices with a ‘smart’ photographic identification card. The card can be used to access certain rooms, for security as a means to identify who is permitted on campus, to access the library and to allow access to print services.
* For electoral roll purposes. When Apprentices have agreed for their data to be shared with Local Authorities for automatic inclusion on the electoral register.
* Upon graduation the names of those graduating are published in the award brochure. Where Apprentices do not wish for their names to be included they may inform the Exams, Certification & Graduation Unit of this when they receive their invitation.
* To provide information relating to further learning opportunities at the University.
* To provide those with identified needs with access to support and University services.
* Personal data on certain courses may be provided to organisations providing access to specialist software/resources that will support and enable Apprentices to undertake their studies.

**What is the purpose of the processing under data protection law?**In order to process personal data the University relies upon the following lawful basis:

* Necessary for the performance of a contract – Article 6(1)(b) (e.g. Apprentices/financial administration, to access facilities/services, security, disciplinary/complaint management, to manage the Apprentice experience and welfare).
* Necessary for compliance with a legal obligation – Article 6(1)(c) (e.g. the legal requirement under the Prevent Duty).
* Necessary for the performance of tasks carried out in the public interest (e.g. teaching and research, provision of information to HESA, Tier 4 compliance, Apprentice/financial administration, equal opportunity monitoring and provision of services)
* Necessary for the pursuit of the legitimate interests of the University or an external organisation (e.g. Learning analytics, to conduct surveys, to support care leavers, to provide information on other learning opportunities and allow individuals to vote and participate in Student Union activities).

**How does the University process Special Category Data?**

The University will also process ‘special category’ personal data. Special category personal data is defined as racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health - including mental health and disability information ,or sex life and sexual orientation, genetic data and biometric data which is processed to uniquely identify a person.

Special category personal information will only be processed in certain situations in accordance with the law.

* With the individual’s explicit consent – Article 9(2)(a), (e.g. Pastoral and welfare support, use of special category data within learning analytics).
* Where the processing is necessary for reasons of substantial public interest – Article 9(2)(g) (e.g. Pastoral and welfare support, to comply with the Prevent Duty, for equal opportunity monitoring,
* Where the data subject has made the information public.
* Where it is necessary to protect the individual’s vital interests or those of another person and where they are physically or legally incapable of giving consent. This would be in an emergency situation where the health, wellbeing or welfare of the individual was at risk.
* Where processing is necessary for archiving purposes in the public interest, scientific or historical research purpose or statistical purposes. – Article 9(2)(g) (e.g. University research and the production of management statistics)

Individuals on certain courses will be asked to provide details of criminal convictions and undertake a DBS check when they are offered a place on a course which leads to employment in a regulated profession and the course involves an integral work placement which could not be undertaken if the Apprentice had a criminal conviction.

**Who receives this data?**Where necessary personal information will be shared internally within the faculties and departments across the University. Personal data is protected by the University and information will not be disclosed to third parties without consent, or, is permitted by law. This section outlines the major organisations and the most common circumstances in which we disclose data about Apprentices. Where this involves international transfer of your data, data will only be transferred if it meets the conditions set down under current data protection legislation.

* **After graduation** the Universitywill need to maintain some records in order that it can verify awards, provide transcripts of marks, to provide academic references and for career support.
* The University will share personal data with the **Students’ Union** in order to allow Apprentices to participate in the election of its officers and to become a member of the Union. Where appropriate personal data will be shared with the Students’ Union for purposes relating to conduct/to support investigations.
* Following graduation, personal data is processed by the **Alumni Relations Development Team** within the University as all individuals graduating automatically become members of the University’s Alumni Community. Full details on the use of personal data can find information on the use of data through the [Alumni webpages](https://www.southwales.ac.uk/alumni/).
* The University is an Approved Education Provider for the purposes of the **Points-Based Immigration System**. The University will provide data about Apprentices on the Tier 4 Student Visa and other categories of visa to the Home Office and its departments in order to fulfil its duties as a Tier 4 Sponsor Licence holder.
* To sponsors and parents where consent has been provided.
* **HE/FE institutions & placement providers:**  Where Apprentices are involved in study arrangements with other organisations, e.g. exchanges, placements, joint/double programmes, we may disclose some data to the relevant institution, including those outside the European Economic Area (EEA).
* **Relevant Higher Education bodies** such as the Office for Students, UK Research and innovation, UCAS, the Office of the Independent Adjudicator and the NSS
* **The Student Loan Company:** Personal data will be shared to confirm enrolment, attendance and identity in order that students can access financial support.
* **Debt recovery / credit control:** Personal data may be shared with third parties, attempting to recover debt on behalf of the University, where internal debt recovery procedures have been unsuccessful.
* **Potential employers** or providers of education approached by the individual.
* **UK agencies** with duties relating to the prevention and detection of crime, collection of a tax (including Income or Council Tax)or duty or safeguarding national security (when there is a basis to disclose).
* The University has a statutory obligation to release information to the **Higher Education Statistics Agency (HESA)** for statistical analysis. Full details on the uses of Apprentice data by HESA can be found at <http://www.hesa.ac.uk/fpn>.
* The University is required to pass data about its Apprentices to **the Higher Education Funding Council for Wales (HEFCW)** for them to conduct the National Student Survey. This provides Apprentices with the opportunity to give their feedback on their experiences at the University. Information will also be provided to HEFCW in line with our statutory responsibilities.
* Personal data relating to Apprentices on specific programmes will be passed to **professional bodies** which accredit those programmes at the University in connection with registration such as Law Society, General Chiropractic Council, Care Council for Wales. If there has been an incident of academic or professional misconduct and/or where the Head of School or equivalent believes there is a concern related to fitness to practise which may result in a risk to the public, this will also be reported to the appropriate professional body.
* Personal information may be shared with **work placement providers** including contact details, information around the individual’s studies and other necessary information.
* In line with our statutory obligations personal data is shared with organisations such as the Higher Education Funding Council Wales and the [Education and Skills Funding Agency.](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/793220/Appendix_F_ILR_2019_to_2020.pdf)
* Following graduation the University or **HESA** may contact individual Apprentices to ask them to complete one or more surveys into the outcomes of higher education and details of activities after graduation. These surveys may be undertaken by the University or by another specialist organisation contracted for that purpose. If a specialist organisation is used that organisation will receive the individual’s contact details, but will only use these details to ask individuals to complete the survey, these details will then be deleted. Individuals may also be contacted as part of an audit to check that the University or any contracted organisation have undertaken these surveys properly (full details on the HESA collection notice are available [here](https://www.hesa.ac.uk/about/regulation/data-protection/notices))
* Coursework and assignments are submitted through **Turnitin® UK**, which supports academic staff in identifying any plagiarism, re-presentation and inappropriate citation. Where plagiarism is suspected, work and information may be shared internally and with other institutions as required.
* Data may be shared with **partner colleges** where the University has partnership arrangements in place. Information that would be shared for purposes relating to their studies and for administrative purposes.
* Personal information may be shared with organisations (including other education providers) with whom we work collaboratively and with other agencies (including the Welsh Government) where there is a requirement on the University to report on outcomes, progression or for equality monitoring purposes.
* Relevant information will be shared with third party providers of accommodation where arrangements are in place for the sharing of data in respect of certain matters such as those involving the contract, wellbeing or safeguarding.
* The University’s internal online directory will include a name and email address for each Apprentice.
* Companies or organisations providing specific services, to or on behalf of, the University under contract as a data processor.
* Any other disclosures that the University makes will be in accordance with data protection legislation and your interests will be considered.

**How long will data be held?**

Information held on file will be kept in line with our [Records Retention Schedule](http://uso.southwales.ac.uk/ig/rm/schedule/).

**Keeping information secure**Data Protection legislation requires the University to keep personal data secure. This means that confidentiality will be respected, and all appropriate measures will be taken to prevent unauthorised access and disclosure. Only members of staff who need access to relevant parts or all of an individual’s data will be authorised to do so. Information held in electronic form will be subject to password and other security restrictions, while paper files will be stored in secure areas with controlled access.

The processing of some data may be undertaken on the University’s behalf by an organisation contracted for that purpose. Such organisations will be bound by an obligation to process data in accordance with the Act/Regulations.

Normally personal data that we collect from you will be stored within the European Economic Area (“the EEA”). However, in certain instances personal data will be collected by processors within a country or territory outside the EEA. Where this occurs the University will ensure that the country is recognised by the European Commission as guaranteeing an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data; or, by companies registered with the EU-US Privacy Shield.

**Individual rights**Individuals have the right to access personal information, to object to the processing of their personal data, to rectify, to erase, to restrict and to port personal information.

 Any requests or objections should be made in writing to the Data Protection Officer – dataprotection@southwales.ac.uk

Where individuals are not satisfied with the University’s response, or believe that the University is not processing personal data in accordance with the law then they may complain to the Data Protection Officer.

If the matter is not resolved and the individual remains dissatisfied then they have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

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

[www.ico.org.uk](http://www.ico.org.uk)

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| Version  | Author/changed by | Date |
| Version 1 | Rhys Davies | July 2019 |