

Privacy Notice

This privacy notice is issued by the Department for Education (DfE) on behalf of the Secretary of State for the Department of Education (DfE) to inform learners about the Individualised Learner Record (ILR) and how their personal information is used in the ILR. Your personal information is used by the DfE to exercise our functions under article 6(1)(e) of the UK GDPR and to meet our statutory responsibilities, including under the Apprenticeships, Skills, Children and Learning Act 2009. Our lawful basis for using your special category personal data is covered under Substantial Public Interest based in law (Article 9(2)(g)) of GDPR legislation. This processing is under Section 54 of the Further and Higher Education Act (1992).

The ILR collects data about learners and learning undertaken. Publicly funded colleges, training organisations, local authorities, and employers (FE providers) must collect and return the data to the ESFA each year under the terms of a funding agreement, contract or grant agreement. It helps ensure that public money distributed through the ESFA is being spent in line with government targets. It is also used for education, training, employment, and well-being purposes, including research.

We retain your ILR learner data for 20 years for operational purposes (e.g. to fund your learning and to publish official statistics). Your personal data is then retained in our research databases until you are aged 80 years so that it can be used for long-term research purposes. For more information about the ILR and the data collected, please see the ILR specification at <https://www.gov.uk/government/collections/individualised-learner-record-ilr>

ILR data is shared with third parties where it complies with DfE data sharing procedures and where the law allows it. The DfE and the English European Social Fund (ESF) Managing Authority (or agents acting on their behalf) may contact learners to carry out research and evaluation to inform the effectiveness of training.

For more information about how your personal data is used and your individual rights, please see the DfE Personal Information Charter (<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>) and the DfE Privacy Notice (<https://www.gov.uk/government/publications/privacy-notice-for-key-stage-5-and-adult-education>)

If you would like to get in touch with us or request a copy of the personal information DfE holds about you, you can contact the DfE in the following ways:

- Using our online contact form [https://form.education.gov.uk/service/Contact the Department for Education](https://form.education.gov.uk/service/Contact%20the%20Department%20for%20Education)
- By telephoning the DfE Helpline on 0370 000 2288
- Or in writing to: Data Protection Officer, Department for Education (B2.28), 7 & 8 Wellington Place, Wellington Street, Leeds, LS1 4AW

If you are unhappy with how we have used your personal data, you can complain to the Information Commissioner's Office (ICO) at:

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. You can also call their helpline on 0303 123 1113 or visit <https://www.ico.org.uk>

Hampshire County Council - Hampshire Achieves: Adult Skills Enrolment Form – Privacy Notice

Hampshire County Council is the organisation responsible for processing your information (the Data Controller). Our 'Hampshire Achieves' service collects and uses information from learners in order to enrol on courses, apprenticeships, traineeships and internships (for 16 to 24 year olds) provided by Hampshire Achieves.

We collect information about young people and adults who enrol on these courses. We hold this personal data securely and use it to:

- support young people and adults in Hampshire to successfully take part in education, training and employment;
- develop a strategic overview of the provision available in Hampshire and to identify and resolve gaps in provision;
- provide a range of Adult Learning with targeted learning opportunities in communities to support employability skills, achievement to Level 2, and family learning to support parents who need help with their children's education;
- provide a programme of Adult Learning activities to support digital literacy, mental health and resilience and support for the recently unemployed;
- provide Adult Learning programmes that support the needs of local businesses and help them to access a skilled workforce;
- complete statutory returns back to central government, such as the Department for Education (DfE) and the Department for Education (DfE);
- allocate the Department for Education (DfE) funding;
- plan, deliver, ensure the quality and report on the range of courses and learning opportunities across a range of funding streams;
- ensure compliance with our obligations under the accuracy principle of the UK General Data Protection Regulation (Article (5)(1)(d)), making sure our records about you are up to date.

The following sections provide further detail around the information we process setting out what allows us to do this (lawful basis), who we may share it with, how long we keep it for (the retention period), alongside identifying any rights you may have and who to contact if you think we're not handling your information in the right way.

The categories of information that we collect, hold and share

The following personal and special category information is processed:

- the learner's personal information (name, address, email address, date of birth);
- information about the learner's characteristics (such as gender, ethnicity, disability or learning difficulty); and
- the learner's choice of course and whether a concessionary fee is paid.

The lawful basis on which we use this information

We collect and use the information ensuring that we comply with the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA2018) requirements for processing through:

- Article 6(1)(e) - the processing is necessary to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law;
- Article 9(2) (g) – Necessary for reasons of substantial public interest on the basis of Union or Member State law which is proportionate to the aim pursued and which contains appropriate safeguarding measures; and
- Sch.1, Pt.2, 6 - Substantial public interest conditions, for processing under the DPA2018.

These articles under the UK GDPR and the DPA2018 are supported by the following specific legislation which establish our statutory duty to provide suitable Educational provision:

- Sections 15ZA and 18A of the Education Act 1996;
- Sections 10, 12, 18 and 68 Education and Skills Act 2008; and
- Apprenticeships, Skills, Children and Learning Act 2009.

Under this lawful basis we do not require your consent to process this information, but we are required, through this privacy notice, to ensure you are fully informed of why we are collecting this information and what we will do with it.

To improve our provision, you may be contacted during or after you have completed your programme of learning, including to establish whether you have entered employment or gone into further training or education.

Storing and Securing Data

The information provided to us will be held within the Tribal EBS Management Information System. The information held within this system will be kept in line with the ESFA's retention schedule and then deleted once this retention has expired. The Tribal EBS Management Information Systems stores data within the UK Cloud South and the data is mirrored in UK Cloud West. No data leaves the UK.

The County Council takes its data security responsibilities seriously and has policies and procedures in place to ensure the personal data held is:

- prevented from being accidentally or deliberately compromised;
- accessed, altered, disclosed or deleted only by those authorised to do so;
- accurate and complete in relation to why we are processing it;
- continually accessible and usable with daily backups; and
- protected by levels of security 'appropriate' to the risks presented by our processing.

The County Council also ensures its IT Department is certified to the internationally recognised standard for information security management, ISO27001.

Who do we share information with?

We do not share information with anyone unless there is a lawful basis that allows us to do so.

The information you supply is used by the Learning Records Service (LRS). The LRS issues Unique Learner Numbers (ULN) and creates Personal Learning records across England, Wales and Northern Ireland, and is operated by the Department for Education, an executive agency of the Department for Education (DfE). For more information about how your information is processed, and to access your Personal Learning Record, please refer to:

<https://www.gov.uk/government/publications/lrs-privacy-notice>

Sections 14-17 of Education and Skills Act 2008 provide data sharing powers to encourage local authorities to promote effective participation. As part of this activity, we share information with educational establishments and service providers, who are offering support with the County Council, to young people with the purpose that it will encourage, enable or assist them to participate in education or training.

Individualised Learner Records (ILR) will be generated within the Tribal EBS Management Information System by Hampshire Achieves and they will be submitted to the ESFA via the dedicated Government secure portal. Statistical and management information will be produced from the data held within EBS and used to monitor the performance against contract targets, to maintain the quality of the provision, to inform the self-assessment and Quality Improvement Plan processes and to provide evidence during inspections by OFSTED. For more information about the ILR and the data collected, please go to

<https://www.gov.uk/government/collections/individualised-learner-record-ilr>

Requesting access to your personal data and your rights

Under data protection legislation, individuals have the right to request access to information about them that we hold. To make a request for your personal information, or someone you have responsibility for, please contact the Children's Services Department's Subject Access Request (SAR) Team, whose contact details alongside further information around this process can be found via:

<https://www.hants.gov.uk/socialcareandhealth/childrenandfamilies/accessrecords>

You also have the right to:

- prevent processing for the purpose of direct marketing;
- object to decisions being taken by solely automated means;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations.

Please note that under the UK GDPR, there is also a right to erasure but the right to erasure does not provide an absolute 'right to be forgotten'. Where the data being processed is for the purpose of 'performing a task in the public interest or for our official functions, and the task or function has a clear basis in law' (Article 6(1)(e)), this right does not automatically apply.

If you have a concern about the way we are collecting or using your personal data, you can raise your concern with us in the first instance or you can go directly to the Information Commissioner's Office, as the supervisory authority, at <https://ico.org.uk/concerns/>.

Contact Details

If you would like more information about these services please visit our website via: [Skills and Participation | Hampshire County Council \(hants.gov.uk\)](https://www.hants.gov.uk/skillsandparticipation/)

For further information on how we handle personal information, your data rights, how to raise a concern about the way we are processing your information and the County Council's Data Protection Officer, please see our General Privacy Notice: <https://www.hants.gov.uk/aboutthecouncil/strategiesplansandpolicies/dataprotection>