

Introduction

As a Data Controller, South West College (“the College”) values the relationships with all our applicants, students, staff and stakeholders and recognises and respects the importance of protecting the privacy of your personal data. The College will process all personal data in compliance with GDPR and the Data Protection Act 2018 for the purpose of providing you with a service you have requested and to meet our statutory obligations.

We will never ask for information that is unnecessary to deliver this service. SWC is the Data Controller registered with the Information Commissioner Office (ICO) and is responsible under the Data Protection Act 2018 for the personal data that you submit to us.

The Data Protection Officer for the College is Nicola Nugent.

The College’s registration reference number with ICO is Z1124639.

This Privacy notice explains how the College collects, processes and manages your personal data when you apply to the College and, if and when you enrol at the College. The information you provide us at each stage will be appropriate for that stage and will be processed for the following purposes:

At application stage

1. To register your interest in a course.
2. To allow the College to contact you in respect of your application.
3. To determine if you meet the entry requirements for the course.
4. To determine your eligibility in terms of age and residency.
5. To commence the process of providing learning support if required.
6. To undertake a risk assessment for safeguarding purposes if necessary.

At enrolment stage

1. To administer your studies.
2. To deliver the programme you have enrolled on.
3. To manage assessment, examination and graduation processes.

4. To allow you access to College facilities and services.
5. To monitor progress and provide you with support.
6. Process payments made by you or to you.
7. Conduct surveys and consultations to provide the College with research information to enhance learning and teaching, and the broader student experience.
8. To discharge our duties to the Department for the Economy with regards to Section 75 reporting.
9. To undertake a risk assessment for safeguarding purposes if necessary.

Lawful Basis

The College is permitted to process personal data where there is a lawful basis to do so. In relation to the information provided during application and enrolment, the General Data Protection Regulations (GDPR) 'lawful basis' for our processing will be the following:

- **Article 6.1(a)** – the data subject has given consent to the processing of their personal data for one or more specific purposes e.g. consent to contact next of kin, direct marketing.
- **Article 6.1(b)** – processing is 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 e.g. students sign Terms and Conditions when enrolling on a programme of study.
- **Article 6.1(c)** – processing is necessary for compliance with a legal obligation to which the controller is subject e.g. Disability Discrimination Act (1995), Equality Legislation, The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007.
- **Article 6.1(e)** – 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 e.g. on behalf of the Department for the Economy (DfE), our role is provide you with quality education.

Special Category Data

We are also required to collect, process and maintain special category data. Our lawful basis for processing this information is mainly:

- **Article 9.2(g)** – processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be

proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject; e.g. requirements by the Department for Economy to ensure meaningful equal opportunity monitoring and reporting, Learning Support details are required for compliance Disability Discrimination Act (1995).

- **Schedule 1(8) Data Protection Act (2018)** – Equality of opportunity or treatment.
- **Schedule 1(16) Data Protection Act (2018)** – Support for individuals with a particular disability or medical condition.
- **Schedule 1(18) Data Protection Act (2018)** – Safeguarding of children and of individuals at risk.

What information do we collect about you?

At application stage we will ask for:

- Name
- Title
- Date of birth
- Sex
- Address
- email
- Mobile No
- NI number
- Gender
- Next of Kin
- Next of Kin Contact details
- Previous school
- Previous enrolment at SWC
- ULN
- Residency
- Country of birth
- Status as asylum seeker or refugee
- Difficulty, disability or health problems
- Allergies

- Educational Background i.e. grades
- Care background
- Employment status
- Criminal history disclosure
- Barriers to learning
- Career aspirations
- Funding awarded

At application stage, you will also have the option to provide us with the following additional information which may include:

- Evidence of qualifications
- Proof of ID
- Photographic evidence
- School reference
- Fee remission evidence
- Employer fee confirmation
- Other evidence as required eg change of name deed
- Ethnicity
- Marital status
- Religious Belief
- Community Background
- Dependents
- Sexual Orientation

If you decide to enrol at the College, you will be required to provide all or some of the additional information listed above depending on the course applied for in order that we can provide the service to you.

The College will never ask for information we do not need to enrol you on your course.

Who will have access to my information, or who will you share it with?

Information will be available to various sections of the College for operational reasons and may also be disclosed to external agencies to which we have obligations for example:

Government Agencies and associated Statutory Bodies e.g.

- Department for the Economy
- HMRC
- FE Shared Services – Data Collection
- Higher Education Statistics Agency (HESA) [Privacy information | HESA](#) (Please note for the purposes of this survey, following the merger of HESA with JISC on 4 October 2022, JISC will be the Controller of personal data processed for the survey as detailed in the Privacy Notice.)
- NSS [Privacy Policy – National Student Survey : National Student Survey \(thestudentsurvey.com\)](#)
- Funding Bodies
- Government Survey & Research Organisations
- UCAS
- Student Loans Company
- Education Authority
- Learner Records Service
- Crime Prevention Agencies
- Employers who pay fees and/or allow you time off work to attend your course
- Placement Providers
- Social Welfare Organisations
- Trade Unions, Careers Service
- UKBA
- Debt Recovery Agencies and potentially other such organisations for defined purposes.
- Awarding Organisations
- Legal representatives and insurers
- Service providers including IT Assist, Tribal, ABW

*Each Awarding Organisation will have their own privacy notice and you should check their websites for this information along with information for candidates on the Joint Council for Qualifications website [Information for candidates documents - JCQ Joint Council for Qualifications](#)

Your personal data is shared with the Learner Records Service and their Privacy Notice

[LRS privacy notice - GOV.UK \(www.gov.uk\)](#) notice explains how your data is used

For full details on our Privacy Notice and your Rights, please visit our [website](#).

International Data Transfer

Transfer of personal data to the European Union, to third countries or international organisations is restricted under UK GDPR regulations. Overseas sharing will be processed in accordance with [Chapter V](#) of UK GDPR.

Exercising your Rights

Under data legislation you have a number of rights with regard to your personal data eg the right to be informed, the right of access, the right to rectification. If you wish to exercise your rights you must complete the online form available on our website or contact the College's Data Protection Officer on gdpr@swc.ac.uk.

The Right to Lodge a Complaint

If you are not happy with how your information is being processed by the College, please contact the DPO:

*Data Protection Officer
South West College
2 Mountjoy Road
Omagh
Co Tyrone BT79 7AH
Email: gdpr@swc.ac.uk*

If you are dissatisfied with the College response, you have a right to complain to the Information Commissioners Office (ICO).

The ICO contact details are:

*Information Commissioner's Office
Wycliffe House
Water Lane
Cheshire SK9 5AF
Tel: 0303 123 1113 or 01625 545 745*

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. You have the ability to update the information you have provided to us by logging into your account. You are responsible for ensuring that your information is accurate, however, if you are unable to access your account, any member of our Admissions or Student Services Team will provide you with assistance.

Use of Artificial Intelligence (AI) and Automated Decision Making

South West College may use Artificial Intelligence (AI) technologies to support application processing, enrolment management, and to enhance student services. Where AI tools process personal data, this will be done in compliance with UK GDPR and the Data Protection Act 2018. All outputs generated by AI are subject to human review before any decisions affecting individuals are made.

The College will not use automated decision making, including AI, to make decisions that will have significant impacts on data subjects without appropriate safeguards.

Failure to provide personal information

If you fail to provide certain information when requested, we will not be able to fulfil our legal obligations or deliver the service you have requested.

Changes to this Privacy Notice

This Privacy Notice is reviewed annually, or sooner if there are significant changes in legislation, College Policy, or processing activities.

We reserve the right to update this privacy notice at any time and the current version is available at <http://www.swc.ac.uk/discover/public-information/data-protection>.