

Privacy Notice

Introduction

As a Data Controller, South West College (“the College”) values the relationships with all our 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.

Lawful Basis

SWC will collect personal data in line with the terms of the programme or project you have engaged in with the College.

As a FE College our main lawful basis for processing your personal data are as follows:

- **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. staff employment contracts, contracts for a service for a third party, student relationship with the College.
- **Article 6.1(c)** – processing is necessary for compliance with a legal obligation to which the controller is subject e.g. The Health and Safety at Work (Northern Ireland) Order 1978, The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, Disability Discrimination Act 1995, SENDO, Employment law.
- **Article 6.1(f)** – processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, 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 e.g. Nursery provider, sponsors to the program.

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. On occasions we may be required to process your personal data for other reasons, however we will only do so where a Lawful Basis applies.
- **Schedule 1(8)** Data Protection Act (2018) – Equality of opportunity or treatment.

What information do we collect about you?

The information collected will include your:

- Name
- Address
- Date of birth
- Contact details (including business and next of kin)
- Previous educational attainment
- Previous employment
- Dependents
- Section 75 data such as your religious belief, political opinion, race, marital status, sexual orientation, gender, if you have a disability.

In addition, we will collect:

- Information about your base line audit (if relevant).
- Information about your time on a programme/project, including your progress/achievements.
- Information about any additional support that you may have availed of to fully participate in the programme/project, including information on disability support.

- Third party requested data.
- Financial data e.g. payslips, bank account details (if applicable).

How will we use the information about you?

We need your information:

- To determine your eligibility.
- To monitor your progress.
- To facilitate the successful programme/project delivery
- To inform future programme changes.
- To contact you about issues directly related to your participation on the programme/project (e.g. changes that you need to be aware of, or a follow up survey)
- To prevent fraud.

We will use your personal data for these purposes only.

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

We will share personal information with third parties, where required to do so by the Programme/Project and where it is necessary to administer the relationship with you or where there is a third party legitimate interest in doing so e.g. project stakeholders, funders. Your information may also be passed to relevant third parties with a legal or medical responsibility to you. We require third party service providers to respect the security of your data and to treat it in accordance with the law.

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.

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. Please keep us informed if your personal information changes during your working relationship with us.

Use of Artificial Intelligence (AI) and Automated Decision Making

South West College may use Artificial Intelligence (AI) technologies. All outputs generated by AI are subject to human review before any decisions affecting individuals are made and will be done in compliance with UK GDPR and the Data Protection Act 2018.

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>.