

Education & Skills Funding Agency Privacy Notice: 04/19

This policy is relevant to Learners undertaking Education & Skills Funding Agency funded learning programmes (e.g. Apprenticeships). The following information explains what learner personal data is collected by the Department for Education, through the Education and Skills Funding Agency, and how it is handled.

The Education and Skills Funding Agency (ESFA) is an executive agency of the Department for Education (DfE). This privacy notice explains how we use your personal information. For the purposes of relevant data protection legislation, the DfE is the data controller for personal information processed.

How we use your personal information

The ESFA is responsible for funding education and skills in England for children, young people and adults. It is also responsible for delivery of key services in the education and skills sector in England including the apprenticeship service, the provision of information, advice and guidance through the National Careers Service, and the Learning Records Service. We may use your personal information in our delivery of this work.

How we collect your personal information

We collect your personal information where the law allows it, or we have a legal obligation to do so. Your personal information is collected to enable us to carry out the functions of the DfE.

The lawful basis for collecting and using your personal information will depend on the service and will normally be:

- where we need to for the purposes of Department for Education functions
- where we have your consent to do so
- where we have a legal obligation

If we are processing your personal information using your consent, you can withdraw your consent at any time.

Personal information is provided directly by you:

- face to face
- over the telephone
- via websites or subscribe to our mailings
- in emails

We may collect personal information about you from other systems or organisations funded by ESFA and from organisations that introduce you to us; so that we can make contact with you.

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How we share your personal information

We may share your personal information with other services run by the ESFA, other parts of the DfE, and partner organisations, where the law allows it or we have a legal obligation to do so:

- with a third party who is working for ESFA under contract
- with organisations for the purposes of:
 - administration
 - provision of career and other guidance
 - statistical and research purposes, relating to education, training, employment and well-being prevention or detection of crime

Other organisations include:

- Department for Work and Pensions
- Local and Combined Authorities in England
- Greater London Authority
- Higher Education Statistics Agency
- Office for Standards in Education
- Institute for Apprenticeships
- educational institutions and organisations performing research and statistical work on behalf of the Department for Education, or partners of those organisations

How long we will keep your personal information

We will only keep your personal information for as long as we need it after which it will be securely destroyed.

We may need to keep your personal information indefinitely for research and statistical purposes. We will put in place necessary measures to safeguard this information.

Your data protection rights

You have the right:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If we are processing your personal information using your consent, you can withdraw your consent at any time. If you need to contact us regarding any of the above, please do so via DfE.

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Contacting us about your information

If you would like:

- more information about how we process your personal information or your data protection rights
- to make a request about your information – for example to request a copy of your information or to ask for your information to be changed
- to contact our Data Protection Officer

You can contact us using our secure online contact form at <https://form.education.gov.uk> by writing to:

Ministerial and Public Communications Division
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

You also have the right to complain to the Information Commissioner's Office. Find out on their website how to report a concern.

Further information on processing your information

Learner information

Personal information is collected by the ESFA in accordance with the terms and conditions of funding imposed on providers of learning, for example, further education colleges and private training organisations. Your personal information is processed by the DfE, and by those third party organisations when they process your information on behalf of the DfE, to enable the DfE to carry out its functions.

Learner information collected by the ESFA is known as the Individualised Learner Record (ILR). The specification and standards for the ILR are published for each academic year (1 August to 31 July) by the ESFA. This specification provides more information about the use of your information.

Some learning is funded by other public authorities where it is necessary to share learner information with those organisations in order that they can carry out their functions, as follows:

- Department for Work and Pensions, for European Social Fund funding
- Mayoral Combined Authorities and the Greater London Authority, for devolved adult education budget funding

Learner contact information collected by the ESFA may be used for the purposes of research and surveys to enable the DfE to carry out its functions or, where learning is funded by the European Social Fund (ESF), for the Department for Work and Pensions to carry out its functions. This contact information will only be used for the purposes of other research and surveys with the consent of the learner.

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Learner information is also collected and supplied to the Learning Records Service, a part of the ESFA. Your information is used by the ESFA to issue learners with a Unique Learner Number, and to create and maintain your Personal Learning Record. More information about this use of learner information is published by the Learning Record Service.

Apprenticeships

As part of this service, individuals can apply for and be kept informed of apprenticeship opportunities. Your personal information is processed to match registered candidate requirements to vacancies for apprenticeships, including for those employers or providers offering a guaranteed interview scheme. Learning providers may act on behalf of employers to sift and shortlist candidates for interview that meet the criteria set by the employer. This service also enables the ESFA and organisations funded to deliver the National Careers Service, and the Department for Works and Pensions (including Jobcentre Plus), and their employees or agents to search for apprenticeship vacancies and pass details to citizens and clients for the purpose of providing careers advice and guidance.

If you start an apprenticeship, your information is supplied to us by your employer to enable the DfE to carry out its functions. When you complete your apprenticeship, your information will also be shared with:

- an organisation appointed by your employer to assess the training that you receive
- an organisation under contract to the DfE to issue you with an apprenticeship certificate

This sharing is undertaken to enable the DfE and the Institute for Apprenticeships to carry out their functions.

National Careers Service

The ESFA encourages participation within further education and learning through the provision of career information and advice services. Data is collected to enable delivery of the services requested. Some optional demographic information (for example, ethnicity, declared disability) is requested to enable the ESFA to monitor the performance of the service against equality and diversity objectives, and to ensure that the ESFA is targeting the service to meet priority audience groups.

Further details about the service are provided on the National Careers Service website.

Bursary for Vulnerable Group Scheme

The Bursary for Vulnerable Group Scheme uses the information you give to decide if you are eligible for a bursary under the scheme eligibility criteria. The information collected by your educational institution will include your name and contact details and whether you are:

- a care leaver
- getting Income Support, or Universal Credit because you're financially supporting yourself or are financially supporting yourself and someone who is dependent on you and living with you, for example, your child or your partner
- getting Disability Living Allowance or Personal Independence Payments and Employment and Support Allowance or Universal Credit

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To enable the delivery of this scheme your personal information may be shared with ESFA and the provider administering the scheme for the purposes of administration, as the law allows in order for the Department for Education to perform its function.

Sharing data

In order for the DfE to carry out its functions:

- the ESFA and training providers share data to ensure accuracy of information held in relation to the funding of learning - a training provider may need to share your information with another training provider in order to verify accuracy of information in relation to a claim for funding from the ESFA
- your personal information may be shared with another training provider for the purposes of your continued learning

In the event that a further education college or other training provider is unable to continue the delivery of training funded by the ESFA (for example, where a training provider is a limited company that is dissolved) the ESFA will endeavour to make arrangements for the secure transfer of information, including your personal data, from the former training provider to another training provider to support your continued learning. It may also request information from Awarding Organisations to establish at what stage your learning has reached according to their records.

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