

Privacy Notice
Durham County Council
(Children and Young People Services)
(DurhamLearn)

Who we are and what we do?

Durham County Council
Children and Young People's Services
DurhamLearn

For the purposes of Data Protection, Durham County Council is the Data Controller for your information.

DurhamLearn provides a broad range of adult education and training provision to encourage personal development, support health and well-being, as well as provide opportunities to gain skills and qualifications to aid further education and employment. DurhamLearn works in partnership with voluntary and community organisations, public health, and employers to ensure it meets the needs of our local community.

What type of personal information do we collect and how do we collect it?

Whose data do we collect?

We collect the following personal information about you:

- Full name
- Gender
- Date of birth
- Unique learner number and personal learning record
- Contact details (address, telephone number, mobile number, email address)
- National insurance number
- Emergency contact details
- Ethnicity, nationality, residency information
- Learning difficulties, disabilities and health problems and any additional support needs
- Employment status, including any benefits you receive
- Information about your career, workplace, employer
- Data and information about your learning, including courses and qualifications you are taking or have taken
- Outcomes of your English, maths, and ICT initial assessments
- Declaration regarding criminal convictions
- Declaration if you are a care leaver or looked after child
- Proof of identity
- Proof of residency status (if applicable)
- Proof of low wage (if declared)

- Your attendance to courses (such as sessions attended, number of absences and absence reasons)
- Safeguarding information (such as court orders and professional involvement)

For learners with special education needs we also collect:

- Declaration if you have a current Education, Health, and Care Plan (EHCP) and information about any current EHCP
- Doctors name, doctors surgery address and contact details
- Name and contact details of advocate or appointee

How we collect Personal Information

We collect information about you in the following ways:

- When you contact DurhamLearn via telephone or email
- When you submit an online enquiry form through the Durham County Council website
- Face to face, for example at events or in a classroom
- Via online video conferencing software, for example Microsoft Teams, Zoom or Canvas
- Through both paper and electronic enrolment forms, individual learning plans and risk assessments
- When you complete learner evaluations/surveys on paper or online via Microsoft Forms

What is our power to obtain and use the personal data?

When we collect and use your personal information, we rely on one of the following:

Lawful Basis (Article 6)

- Consent: You or a legal representative have given consent.
- Vital Interests: it is necessary to protect someone in an emergency
- Public task: the processing is necessary for us to perform a task in the public interest or for our official functions to provide education services to the community

When we collect special category personal information, we rely on one of the following:

Article 9

Applicable Conditions for processing special category data are known under Article 9.

- Substantial Public Interest. The processing is necessary to benefit society as a whole.

What is your personal information used for?

DurhamLearn collects and processes information about you for the following purposes:

- To meet our contractual obligations with the Department for Education (DfE) and the Education and Skills Funding Agency (ESFA). This helps the ESFA to ensure that public money distributed through themselves is being spent in line with government targets. It is also used for education, training, employment, and well-being purposes, including research
- To provide you with our adult education services, and to develop and improve the service
- To evaluate the effectiveness of the service via an external provider to conduct a learner survey and determine learner destinations

Will your personal information be shared?

We do share your personal information. Sharing information is required to enable us to provide you with a range of training opportunities and to provide you with relevant support.

When we share your information, we do it with the following organisations:

- Department for Education (DfE)
- Education and Skills Funding Agency (ESFA)
- Learning Records Service (LRS)
- Student Loans Company (SLC)
- Ofsted
- Other colleges and education providers
- BKSB, who provide an initial assessment and learning platform for our English, maths, and digital skills courses
- E-signature companies to provide online enrolments and other learner documentation. These are currently Signable and iPEGS Ltd
- The Skills Network, who provide an online enrolment and learning platform for a selection of our courses
- QualsDirect, who provide an e-portfolio system
- Canvas, who provide an online virtual learning platform
- Cognisoft, who provide our management information system
- Awarding bodies for examinations
- The Flash Academy, a digital platform to support with our ESOL courses
- Other partner organisations we contract with for the collection of learner destination data and evaluation services. Our current partner organisation for this purpose is J2 Research

There are other times, not linked to your care and support, where we may need to share your information lawfully. These include:

- Where there is a serious risk of harm to you or to others
- Where there are concerns for the welfare of a child
- For the prevention or detection of crime
- Where a court order requires us to share information about you

How do we keep your personal information secure?

The security of your personal information is important to us. This is why we follow a range of security policies and procedures to control and safeguard access to and use of your personal information.

Controlling access to systems and networks allows us to stop people who are not allowed to view your personal information from getting access to it. Training for our staff allows us to make them aware of how to handle information and how and when to report when something goes wrong. Regular testing of our technology and ways of working including keeping up to date on the latest security updates (commonly called patches).

How long will we keep your personal information?

After we deliver a service to you, we have to keep your information as a business record of what was delivered. The type of service will determine how long we have to keep it. Our corporate retention guidelines [<https://www.durham.gov.uk/dataprivacy>] show how long we keep it for different services. This ranges from months for some records to decades for more sensitive records.

The retention periods for this service are as follows:

- For 6 years from the end of the Financial Year in which the last payment is made for your course to us, in line with our agreement with the Education and Skills Funding Agency
- Where learner records data is used as match on the 2014-20 ESF programme, we must retain your data securely until 31st December 2034

Is your personal information processed outside the EU?

We do not process your personal information outside the EEC.

Marketing

At no time will your information be passed to organisations external to us and our partners for marketing or sales purposes or for any commercial use without your prior express consent.

What are your information rights?

Your Information Rights are set out in the law. Subject to some legal exceptions, you have the right to:

- have any inaccuracies corrected;
- have your personal data erased;
- place a restriction on our processing of your data;
- object to processing;

If you wish to exercise your information rights, please contact our Data Protection Officer at DPO@durham.gov.uk or alternatively write to:

DPO
Chief Executive's Service
Durham County Council
Green Lane
Spennymoor
DH16 6JQ

You also have the right to request a copy of the personal information council holds about you. To do this, you can apply on line or download an application form from the [DCC website](#) or you can contact the data protection team at inforights@imt.durham.gov.uk

Further Information

Our Data Protection Officer (DPO) provides help and guidance to make sure we apply the best standards to protecting your personal information. If something goes wrong with your personal information, or you have questions about how we process your data, please contact our Data Protection Officer at DPO@durham.gov.uk.

If we have not been able to deal with your complaint, you can also contact the [Information Commissioner's Office](#):

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

Telephone: 0303 123 1113 (local rate) or 01625 545 745

Fax: 01625 524 51