

Equality

The College will comply with all statutory duties in respect of The Equality Act 2010 and its Protected Characteristics: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity. The college will work within the terms of the Rehabilitation of Offenders Act 1974 and the Human Rights Act 1998 and any subsequent enactments or modifications. Equality Impact Assessments will be carried out at the drafting stage for new policies and where existing policies are reviewed and updated.

Sustainability

The college will comply with all statutory duties in respect of sustainable development by seeking to improve the long-term economic, social and environmental wellbeing of people and communities. This needs to be done in ways which promote social justice, equality of opportunity and which enhance the natural and cultural environment while respecting its limits.

Welsh Language

The College will comply with its Welsh Language Scheme, which is a statutory document, in all of its activities. This includes conducting Welsh Language Impact Assessments for all new and revised policies and initiatives. A copy of this policy is also available in the medium of Welsh.

Our commitment to being a Trauma Informed Organisation

The College is committed to transforming into a trauma-informed institution where safety, collaboration, choice, trust and empowerment are central to our culture and practices, ensuring the wellbeing and resilience of all learners and staff. We prioritise the wellbeing of all, fostering positive relationships and experiences which develop and uphold the resilience of learners and staff.

Our commitment to becoming an Antiracist Organisation

Our approach will tackle racism on many levels. We will engage all members of our College community to support transformational change. We are determined to tackle racial discrimination in all its forms and will be referring to the Race Relations Act 1976 and to achieve the actions set out in the Black Further Education Leadership Group (BFELG) 10 Point Plan. We are committed to making sure that our College is inclusive. We want the experience of studying and working here to be positive and welcoming for everyone, of all ethnic and racial backgrounds. We understand that this is the responsibility of all of us and we expect everyone to play an active part.

Mae'r ddogfen yma hefyd ar gael yn Gymraeg

The College Merthyr Tydfil

Privacy notice – for applicants and learners

1. Introduction

The College Merthyr Tydfil is the data controller and the College's Data Protection Officer operates from the University of South Wales and can be contacted through dataprotection@southwales.ac.uk. The College is committed to protecting the rights of students in line with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).

The learning programme you are about to apply for is provided by The College Merthyr Tydfil. Taking part in this learning programme is dependent on you completing an application form and providing personal data.

2. Why do we need your personal data?

The College Merthyr Tydfil uses information from our interactions with you and other learners as well as certain third parties e.g. your past secondary schools, Careers Wales, to help achieve our goal of providing you with the best learning experience possible.

The College Merthyr Tydfil respects the privacy rights of all of our learners and recognises the importance of protecting the information collected about you. To this end, we have established procedures that ensure your personal data is processed in a responsible, fair and transparent manner.

This privacy policy informs you about the data we collect and how; the purposes for which we collect and use it; your rights about and options concerning our use of your data; how your data is processed and with whom it may be shared; and for how long we store your information etc.

Please read it carefully.

DEFINITIONS:

The definition of personal data means any information relating to an identified or identifiable natural person. An identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

When we use the term 'processing,' we mean any operation or set of operations performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

3. Who controls the data?

The College Merthyr Tydfil will be the data controller for the personal information it receives. The College address is:

The College Merthyr Tydfil
College Boulevard

Merthyr Tydfil
CF48 1AR

The College Merthyr Tydfil will use your data to ensure the effective administration and monitoring of the learning programme (s) you are applying for.

If you are applying from within the UK, you will also be asked to supply a copy of your qualification certificates and references.

If you are applying from outside the UK, you will also be asked to supply additional evidence such as a passport and recent payslip. A copy of this evidence will be retained by the college.

*** GDPR Article 6 legal basis**

6(1)(a) The data subject has given consent to the processing.

6(1)(b) The processing is necessary for the performance of a contract.

6(1)(c) The processing is necessary for the compliance with a legal obligation. 6(1)(d) The processing is necessary to protect the vital interests of the data subject or of another person.

6(1)(e) The processing is necessary for the performance of a task carried out in the public interest.

6(1)(f) The processing is necessary for the purposes of the legitimate interests pursued

4. What personal information about you is collected and used by the Welsh Government?

Some of the data collected through the application process will be personal data and/or special category data as defined in the General Data Protection Regulation which includes:

Personal Data

- A unique learner Identifier number (created by The College Merthyr Tydfil)
- Surname
- Forename(s)
- Address
- Postcode
- Telephone Number
- Mobile Telephone Number
- Email address
- National Insurance Number
- Gender / Sex
- Surname at 16
- Date of birth
- National identity
- The last school you attended or are currently attending
- The year you left school

Predicted GCSE outcomes Additionally, there is data about you which is defined as **special category data**. Providing this data is optional and will include;

- Personal data revealing racial or ethnic origin

- Political opinions
- Religious or philosophical beliefs
- Health data
- Data related to sexual preferences, sex life, and/or sexual orientation

This personal/special category data will be used across all Post 16 learning within Further Education, Work Based Learning, Adult Community Learning and Welsh for Adults.

Special category personal information will only be processed in certain situations in accordance with the law.

- With the individual's explicit consent – Article 9(2)(a), (e.g. Pastoral and welfare support, use of special category data within learning analytics).
- Where it is necessary to protect the individual's vital interests or those of another person and where they are physically or legally incapable of giving consent– Article 9(2)(c). This would be in an emergency situation where the health, wellbeing or welfare of the individual was at risk
- Where the data subject has made the information public – Article 9(2)(e).
- Where the processing is necessary for reasons of substantial public interest – Article 9(2)(g) (e.g. Pastoral and welfare support, to comply with the Prevent Duty, for equal opportunity monitoring,
- Where processing is necessary for archiving purposes in the public interest, scientific or historical research purpose or statistical purposes. – Article 9(2)(j) (e.g. College research and the production of management statistics)
- Where processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services - Article 9(2)(h) (e.g. assessment of health for participation in a field trip).

Individuals on certain courses will be asked to provide details of criminal convictions and undertake a DBS check when they are offered a place on a course which leads to employment in a regulated profession and the course involves an integral work placement which could not be undertaken if the student had a criminal conviction. Students enrolled on other courses will also be given the opportunity to tell the University about any criminal convictions. This information is gathered for the purposes of providing support and conducting risk assessments.

5. How will your data be used by The College Merthyr Tydfil?

The College Merthyr Tydfil will use your data for the following key purposes:

- For administration purposes, to ensure the data we collect about you is stored correctly, securely and to a high standard of quality
- Verification of your identity and to respond to any query you may raise regarding studying with us; to process your application and provide you with the best service possible.
- To ensure that your application and enrolment process into the college is as efficient as possible; e.g. to notify you on the status of your application, to notify course tutors of your intention to study on their course, to contact you to arrange a follow-up interview,

to respond to any questions you may have regarding your transition into the college and to also record any additional learning needs support you may require from us.

- To enable us to contact you to provide important information on your application, college news, key events etc.
- To notify you about changes to our services, terms, conditions and policies.
- To help make decisions on course planning and recruitment.
- To help the college allocate and monitor funding of post-16 learning, including support which is jointly funded by the Shared Prosperity Fund project.
- To give auditors the information they need to do their job.
- To help monitor equality and diversity of learners applying for college courses.
- In analysis and research, where we will sort through the data to identify application patterns and trends across all of our courses.
- Attendance and engagement information.
- To enable the college to measure and compare its recruitment performance and identify target markets.
- Contact details for a next of kin, trusted contact or emergency contact to be used in an emergency/where there are serious concerns regarding wellbeing (The College requires students to inform the next of kin or trusted contact on the use of their data prior to providing the College with their data).
- Details of those with looked after status or those who have left the care system - for the provision of support.
- For students on certain courses such as healthcare, teaching, social worker courses records relating to suitability checks including DBS.
- Information collected for administration of trips, visits and events.
- Information relating to disciplinary or conduct issues.
- The College collects information on Welsh language skills for the purpose of Welsh medium provision.
- Information relating to careers advice and work experience.
- Information gathered for the purposes of equal opportunities monitoring.
- To monitor your progression on to further or higher education or employment.
- To provide information of your achievements during recruitment and transition events at your former school.

6. Who does The College Merthyr Tydfil share your data with?

Currently The College Merthyr Tydfil shares your data with these third-party organisations:

- Welsh Government
 - Careers Wales
 - Estyn
 - University of South Wales (for HE applicants)
 - Merthyr Tydfil County Borough Council
- Your previous or current secondary school
 - Tribal EBS
 - Dynistics Dashboards
 - Synel

- Colegau Cymru
- My Concern – The Safeguarding Company
- Smoothwall by Quoria - At The College Merthyr Tydfil, we strive to create a safe environment for all learners, whilst on campus and online. To enable us to do that effectively I would like to make you aware that all our devices are monitored by a software called Smoothwall. Smoothwall is a third party partner who comply with relevant privacy and data protection regulations.

Data Sharing Agreements

The College Merthyr Tydfil has a formal data sharing agreement in place whenever we share your data with a third party. Part of the agreement means the third party will have to sign a confidentiality agreement in relation to your data to show that they operate satisfactory information security procedures and that destroy their copies of your data when it's no longer needed. They can only use your data for the reason they sign up to and nothing else. All copies of data transfers are logged and recorded. The College Merthyr Tydfil currently has a Data Disclosure Agreement in place with Merthyr Tydfil County Borough Council and the four Merthyr Tydfil Secondary Schools – Afon Taf, Cyfarthfa, Bishop Hedley and Penydre.

Security Arrangements for your data held by The College Merthyr Tydfil

The data The College Merthyr Tydfil collects about you will be stored in an access controlled secure database which is regularly tested for safety and integrity.

Your data will also be linked for reporting purposes to other educational records held by your past secondary school, the Welsh Government such as the Pupil Level Annual Schools Census, the Welsh Examinations Database and Higher Education Statistics Authority, and to other records held by UK Government such as employment data, so that the Welsh Government can calculate learner destinations measures and also understand the impact of post-16 provision on wider outcome. Any statistics published by the Welsh Government are anonymised, meaning that individual learners cannot be identified

7. Your rights and choices

Under the General Data Protection Regulation (GDPR) you have the right to:

- Access the personal data The College Merthyr Tydfil holds on you
- Require The College Merthyr Tydfil to rectify inaccuracies in that data
- Object to processing on grounds relating to your particular situation (in some circumstances)
- Restrict processing (in some circumstances)
- Have your data erased (in certain circumstances)
- Lodge a complaint with the Information Commissioner's office (ICO) who is the independent regulator for data protection

8. How long will The College Merthyr Tydfil keep your information?

Please see TCMT Retention Policy.

Keeping information secure

Data Protection legislation requires the University to keep personal data secure. This means that confidentiality will be respected, and all appropriate measures will be taken to prevent unauthorised access and disclosure. Only members of staff who need access to relevant parts or all of an individual's data will be authorised to do so. Information held in electronic form will be subject to password and other security restrictions, while paper files will be stored in secure areas with controlled access.

The processing of some data may be undertaken on the College's behalf by an organisation contracted for that purpose. Such organisations will be bound by an obligation to process data in accordance with the Act/Regulations.

Normally personal data that we collect from you will be stored within the UK or the European Economic Area ("the EEA"). However, in certain instances personal data will be collected by processors within a country or territory outside the UK or EEA. Where this occurs, the College will ensure that the country is recognised by the European Commission as guaranteeing an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data or another appropriate safeguard is in place.

Contacts

For further information about the information which The College Merthyr Tydfil holds and its use, or if you wish to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer
University Secretary's Office,
University of South Wales
Pontypridd,
CF37 1DL
dataprotection@southwales.ac.uk

To contact the Information Commissioner's Office, please see details below:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
029 2067 8400 (Wales helpline) or 0303 123 1113 (UK helpline) [Home](#) | [ICO](#)

Notifications of changes

If we are going to use your data in a different way from that stated at the time of collection, you will be notified. All of The College Merthyr Tydfil's processing will be in compliance with the extant data protection legislation. Updates to the privacy notice will be available on our website.

Appendix 1 Equality Impact Assessment				
Protected Characteristic	Positive Impact	Neither positive or negative	Negative impact	Comment
Disability	x			It is intended that this policy will have a positive impact on those who have a disability, and ensure their sensitive data is protected.
Gender Reassignment	x			It is intended that this policy will have a positive impact on those who have gone through, or due to undergo gender reassignment, and ensure their sensitive data is protected.
Marriage or Civil Partnership	x			It is intended that this policy will have a positive impact on an individuals marriage or civil partnership status, and ensure their sensitive data is protected.
Pregnancy and Maternity	x			It is intended that this policy will have a positive impact on those who have are pregnant or on maternity, and ensure their sensitive data is protected.
Race	x			It is intended that this policy will have a positive impact on race, and ensure sensitive data is protected.
Religion or Belief	x			It is intended that this policy will have a positive impact on religion or belief, and ensure sensitive data is protected.
Sexual Orientation	x			It is intended that this policy will have a positive impact on sexual orientation, and ensure sensitive data is protected.
Sex (Gender)	x			It is intended that this policy will have a positive impact on sex (gender), and ensure sensitive data is protected.
Age	x			It is intended that this policy will have a positive impact on age, and ensure sensitive data is protected.