

## Crossfields Institute Privacy notice

The data controller at Crossfields Institute is: Alison Richards

Crossfields Institute collects data for processing on a lawful basis where:

- Processing is necessary for the performance of a **contract** to which the individual is party or in order to take steps at the request of the individual prior to entering into a contract (Article 6 1(b) GDPR). *For example: where processing of data is necessary to register learners onto a qualification, a learner has requested access to a Virtual Learning Environment (VLE) or where a member of the public has requested to be included in a mailing list*
- An individual has given **explicit consent** to the processing of personal data for one or more specified purposes and the processing relates to personal data which are manifestly made public by the individual (Article 9 2(a) & 2(e) GDPR) *For example: where a learner requests a reasonable adjustment or special consideration which is health related and health data may be required for the approval process*

## What we process

Information that Crossfields Institute collects, holds and shares includes:

- Personal identifying information, typically name, date of birth, gender
- Personal e-mail address/address/phone number where this has been shared with us for using the VLE, learner correspondence, or a learner survey regarding experience of a qualification or programme as part of quality assurance monitoring
- Occasionally we process special category data, for example, health and additional support related information (Article 9 GDPR). This data is collected by a Crossfields Institute approved Centre or Crossfields Institute International in support of requests for Reasonable Adjustments or Special Considerations and processed by Crossfields Institute Quality Team or Jonathon Code for Crossfields Institute International

## Why we collect and use this information

As an Awarding Organisation and Higher Education Institution, we use personal data to:

- Register learners on programmes and qualifications
- Verify learner assessment evidence as part of the quality assurance process
- Issue certificates for qualifications
- Claim certificates from other Awarding Organisations or Universities (e.g. NCFE/CACHE, Alanus University)
- Issue certificates for CPD programmes
- Approve requests for Reasonable Adjustments and Special Considerations
- Assess the quality of our services using learner surveys
- Respond to enquiries
- Send mailings and updates
- Enable access to, and use of, the Crossfields Institute VLE

## What we share

As an Awarding Organisation, Crossfields Institute is required to share data with Ofqual. Ofqual is the Office of Qualifications and Examinations Regulation for England. Ofqual regulates qualifications, examinations and assessments in England including Crossfields Institute regulated qualifications.

Ofqual states that they will not knowingly or intentionally request information from Crossfields Institute that would not be GDPR compliant or would cause Crossfields Institute to be non-compliant.

Ofqual are responsible for making sure that:

- regulated qualifications reliably indicate the knowledge, skills and understanding learners have demonstrated
- assessments and exams show what a learner has achieved
- people have confidence in the qualifications that they regulate
- learners and teachers have information on the full range of qualifications that they regulate

Ofqual do not normally collect individually identifying data from Crossfields Institute. They collect data relating to the numbers of learners registered on qualifications and the numbers achieving a qualification. The data produced by Ofqual is used to maintain standards and confidence in qualifications in England. Ofqual are independent of government and report directly to Parliament.

As an Approved Centre for NCFE/CACHE Crossfields Institute collects learner data to be processed by NCFE/CACHE for the purposes of registration and certification. NCFE/CACHE state that they will not knowingly or intentionally request information from Crossfields Institute that would not be GDPR compliant or would cause Crossfields Institute to be non-compliant.

Crossfields Institute International is an externally validated education provider for Alanus University, and collects learner data to be processed by Alanus University for the purposes of registration and certification. As a University operating from within the European Union Alanus University is bound by law to abide by the GDPR and will therefore not knowingly or intentionally request information from Crossfields Institute International that would not be GDPR compliant or would cause Crossfields Institute International to be non-compliant.

### **Individual rights**

Under GDPR legislation, you have the right to request access to information about you that we hold.

You also have the right to:

- Object to processing of personal data which is likely to cause, or is causing, damage or distress
- Prevent processing for the purpose of direct marketing
- Object to decisions being made by automated means

### **Please see Appendix 1 for Retention periods of data**

### **Transfers of data to and from third countries**

We have a number of approved centres and registered learners outside the UK. Countries within the European Union have the same GDPR requirements and data protection safeguards as the UK. We may collect and process individual data from countries which do not have equivalent data protection legislation (e.g the United States of America, Russia, Japan, China and India). We collect, process and transfer data from all centres, learners and individuals in the way that is set out in this notice regardless of the country of origin. We will only collect, process or transfer data to and from a third country if the Information Commissioners Office ([www.ico.org.uk](http://www.ico.org.uk)) have determined that there are adequate levels of data protection legislated for that country, or we have been assured of adequate safeguards by the relevant centre or organisation.

## **What this means for you when you register for a Crossfields Institute programme or a qualification**

All Crossfields Institute approved centres are required to have data protection policies and procedures that are GDPR compliant. These are reviewed annually by Crossfields Institute. If you register as a learner at an approved centre the centre is primarily responsible for the protection and use of your data. If you register as a learner with Crossfields Institute International this privacy notice and the Crossfields Institute data protection policy and procedure apply to you.

### **Crossfields Institute Website**

- Our website uses cookies - a cookie is a file containing an identifier (a string of letters and numbers) that is sent by a web server to a web browser and is stored by the browser. The identifier is then sent back to the server each time the browser requests a page from the server
- Cookies do not typically contain any information that personally identifies a user, but personal information that you consent to being used as you are using the website may be linked to the information stored in and obtained from cookies
- Most browsers allow you to refuse to accept cookies; however, if you block cookies, you will not be able to use all the features on our website
- Our website includes hyperlinks to, and details of, third party websites. We have no control over, and are not responsible for, the privacy policies and practices of third parties
- Our website uses Google Analytics to provide us with data about visitors to the website. It has been set so that your IP address is anonymised when processed by Google Analytics. This means that although it will be able to identify general things about you such as your country, computer operating system, web browser, and the pages you viewed on the website, you will not be personally identifiable. To find out more about how Google complies with privacy laws, please visit <https://privacy.google.com/businesses/compliance/> If you wish to disable Google Analytics tracking via your web browser please visit <https://tools.google.com/dlpage/gaoptout>
- We use a security plugin called Wordfence, which monitors and records IP addresses for the purposes of trying to stop hacking attempts. This is a website equivalent of having a firewall on a computer.
- Our Virtual Learning Environment hosting (VLE) is provided by Overt Software. Their Privacy Policy can be found here: <https://www.overtsoftware.com/privacy-policy/>. Their GDPR data processing documentation can be found here: <https://www.overtsoftware.com/wp-content/uploads/2018/04/Client-GDPR-Data-processor-processing-documentation.pdf> (please see the Moodle section starting on page 16).
- The BigBlueButton part of the VLE is hosted by American company ReliableSite.net, but they only provide the hardware and do not have access to the data contained on it. The data is processed by Overt Software.

### **Contact**

If you would like to discuss anything in this Privacy Notice, please contact:  
Alison Richards, Head of Quality, [alisonrichards@crossfieldsinstitute.com](mailto:alisonrichards@crossfieldsinstitute.com) or by telephone on +44 01453 808118.

**Policy last reviewed April 2018**

**Next revision date September 2019**

## Appendix 1 - Retention of personal data by Crossfields Institute

Crossfields Institute is required to retain personal data for a variety of purposes. We will not retain data for any longer than is required by a legitimate purpose.

The table below sets out the data that we retain, for how long and why.

Category of data	Location of storage	Retention period	Criteria to determine the retention period
Individual learner details (names, date of birth, gender, unique learner number)	Mercury ( <i>Crossfields Institute management information system</i> )	Indefinitely, unless requested to remove	We retain this data in case there is a need for a learner/employer/education provider to request confirmation of certification or replacement certificates
Learner application forms (Crossfields Institute International)	Secure server and locked filing cabinet for paper forms	Duration of the course	This provides information that we may need to access to contact the student or make specific arrangements for them
Assessment evidence (including RPL records)	Secure server, secure online fileshare (eg. Dropbox)	Until learner has qualified and EQA has had an opportunity to review evidence	This evidence is primarily held and shared with Crossfields Institute by approved centres. It must be retained until all quality assurance procedures have been satisfactorily completed.
Assessment & monitoring records - EQA Reports, IQA Reports, Assessment feedback, Attendance/Notes from meetings	Secure server	3 years	This may be required for audit by Ofqual (the regulator). The only personal data should be names and signatures.
Individual learner and staff logins for the virtual learning environment (VLE) – this requires first and last name and email address	<a href="http://www.overtsoftware.com">www.overtsoftware.com</a> hosts Crossfields Institute VLEs (GDPR compliant)	For the duration of the course and indefinitely thereafter unless removed requested by learner or the course is closed	This allows learners to continue to access resources as long as they are made available.
Mailing list membership (first and last names and email address)	<a href="http://www.mailchimp.com">www.mailchimp.com</a> (online email marketing platform) GDPR compliant	Indefinite, receiver can request to opt-out at any time	Consent is required to join a mailing list, and there is always an option to unsubscribe

Employment applicants	Secure server and locked filing cabinet for paper records	6 weeks after applications close	We retain applications for a short period of time, and may ask to retain them for longer if an applicant wishes to be contacted in relation to future employment opportunities
Employee and third party records	Secure server and locked filing cabinet for paper records	7 years from the end of employment or contract	Records held in order to be able to respond meaningfully to employment reference requests or to respond to HMRC requests
Special Category data (sensitive data – e.g. medical records, ethnicity, disabilities, etc)	Secure server – restricted access to data controller and designated data processors	The shortest possible time; context dependent.	We will retain this data in relation to special consideration applications for learners for as long as needed to make a decision. We will retain this in relation to employees for as long as needed to ensure that their health and wellbeing needs at work are met.
Criminal data	Secure server – restricted access to data controller and designated data processors	The shortest possible time; context dependent.	We will retain this data for as short as possible a time, due to its sensitive nature. The only likely context for us to require this data is when a DBS check is required for employees or third party suppliers