

Carlow College, St. Patrick's

Privacy Notice for Learners

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Introduction

This Privacy Notice is made available to learners of Carlow College, St Patrick's in order to inform you about categories of learner data processed by the College, what we use the data for, who we share the data with, how long we retain the data, and your rights.

The College is subject to the General Data Protection Regulation (GDPR) and the Data Protection Acts 1988 to 2018. Carlow College, St. Patrick's is the controller of learner data.

We respect your right to privacy and take every appropriate measure to secure personal data processed by the College.

Further information is available in the College's Data Protection Policy, in our Records of Processing Activities document and from the Data Protection Officer. Various College policies also refer to learner data and should be read in conjunction with data protection-focused documents.

This Privacy Notice applies to prospective, applicant, current and former learners of Carlow College, St. Patrick's.

Data protection principles

The GDPR sets out a number of principles with which organisations processing personal data must comply. In compliance with these principles, we will ensure that:

- Processing is lawful, fair and transparent
- Data is collected for specified, explicit and legitimate purposes
- Data collected is adequate, relevant and limited to what is necessary for the purposes of the processing
- Data is kept accurate and up to date. Data which is found to be inaccurate will be rectified or erased without delay
- Data is not kept in a form which permits identification of data subjects for longer than is necessary for the purposes for which it is processed
- Data is processed in a manner that ensures appropriate security, including protection against unauthorised or unlawful processing, accidental loss, destruction or damage by using appropriate technical and organisational security measures.

Definitions

Personal data means any information relating to an identified or identifiable natural person (data subject). An identifiable natural 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 person.

Special categories of personal data are those which reveal racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Types of data held

The College processes a number of categories of data regarding learners, including:

- Name and contact details, including personal email address, College email address, postal address and telephone numbers
- Student ID number and CAO number
- PPSN
- Date and country of birth
- Nationality
- Next of kin/emergency contact details
- Financial data including bank account details, which may be those of another person who pays fees on behalf of the learner; payment of fees
- Photograph
- Modules and programme of study
- Examination and assessment results
- Previous educational institutions
- Employment history
- Course application details
- Interview records
- Assignments, portfolios and examination scripts
- Details of qualifications awarded
- Health and disability information
- Records of engagement with various College services, including the Academic Resource Office, Essay Doctor, Counselling Service (including parental/guardian consent for learners who are under 18), College Nurse, Chaplaincy, Careers Office and the Library
- Records arising from investigations carried out under College policies, including disciplinary records
- Complaints and grievances
- CCTV images
- Records arising from the vetting process, including parental/guardian consent for learners who are under 18
- Data that you send and receive using the College's IT systems
- Learner input into College promotional materials.

How does the College collect this data?

Much of the learner data that the College holds is collected directly from you or is generated by the College during your studies. Third parties, such as your referees, may supply data to us. We also acquire some data from bodies which act on our behalf, such as the Central Applications Office (CAO), and from grant-awarding bodies such as Student Universal Support Ireland (SUSI).

Personal data provided by you about others

You may provide us with personal data about other individuals, for example, next of kin/emergency contact details and information about your family circumstances and dependents. You should notify

the relevant person that you are providing his/her contact details to us as your next of kin/emergency contact.

Purposes of processing learner data

The purposes of processing learner data include:

- Replying to expressions of interest about our programmes of study
- Organising classes, assessments, examinations and conferring of awards
- Administering financial payments, for example, grants, bursaries and fees
- Providing support services, including health and counselling services, and supports to learners with disabilities or learning differences
- Monitoring and evaluating the learner experience, including inviting learners to participate in voluntary surveys
- Providing library and IT services
- Providing operational information
- Promoting our services
- Organising and assessing work placement
- Monitoring learner attendance
- Vetting learners on relevant courses
- Ensuring the safety and security of learners, employees, visitors and our premises
- Carrying out audits
- Compliance with our legal and regulatory obligations as a provider of third level education
- Protection of Enrolled Learners
- Production of reports and aggregate statistics for management and research purposes in order to plan and improve services
- Implementation of College policies, including investigations under disciplinary and dignity and respect policies
- To administer the provision of on campus accommodation
- Obtaining legal advice for the establishment, exercise or defence of legal claims
- Providing references for future education and employment
- Keeping in touch with alumni.

How the College communicates with learners

The College needs to communicate with learners from time to time in relation to academic, operational and other matters. The College strives to use the most effective and efficient method when communicating with learners. We may communicate with you by email (both your College and personal email), telephone call or text message, and by post to your home and term addresses.

The College provides all registered learners with an '@carlowcollege.ie' email address in order to facilitate email communication between College learners and staff. This is the most usual way that the College will communicate with current learners.

The College utilises a text messaging system to communicate urgent information to learners, for example, regarding the cancellation of classes.

Where the College urgently requires contact with a learner and we have been unsuccessful in contacting you directly or it is not possible to contact you directly, we may contact your designated emergency contact using the contact details you provided. We will only disclose the minimum amount of personal data necessary during such communications.

Disclosing information about learners to parents, other relatives or third parties

It is the responsibility of the learner to communicate and engage with the College. In normal circumstances, the College will not disclose the personal data of learners to parents, other relatives or third parties. However, the College may disclose personal data at the learner's request. The usual procedure for granting such consent is that the learner emails Academic Administration at admin@carlowcollege.ie from his/her College email account stating that the College may disclose personal data to a **named person** about a **particular matter**.

In an emergency situation, the College will act in your best interests and may contact a learner's designated emergency contact using the contact details provided by the learner.

As the previous section states, where the College urgently requires contact with a learner and we have been unsuccessful in contacting you directly, we may also contact your emergency contact person.

Legal bases for processing

Data protection law permits us to process personal data only when we can identify a legal basis. A number of legal bases apply to the processing of learner data. These include:

- Where you give your consent for the processing
- Processing is necessary for the performance of a contract or take steps prior to entering into a contract
- Processing is necessary for compliance with a legal obligation to which the controller is subject
- Processing is necessary in order to protect the vital interests of the data subject or another person
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
- Processing is necessary for the legitimate interests of the controller or third party

Where special categories of personal data are processed, we have to be able to apply a further legal basis to the processing. The usual bases which apply are:

- Your explicit consent for the processing
- Processing is necessary to protect the vital interests of the data subject or another person
- Processing relates to personal data which are manifestly made public by the data subject
- Processing is necessary for the establishment, exercise or defence of legal claims
- Processing is necessary for reasons of substantial public interest.

Recipients of learner data

Employees of Carlow College, St. Patrick's have access to learner data commensurate with their duties only.

The College may disclose learner data to other organisations in connection with the aforementioned purposes, including:

- Regulatory and accreditation bodies, such as Quality and Qualifications Ireland
- Funding bodies and schemes, including grant-awarding bodies, such as SUSI and the Fund for Students with Disabilities
- Third party service providers, who are under contract to the College, including software suppliers, external examiners, insurers, legal advisors and auditors
- Professional, educational or similar institutions with which learners have a relationship, including other third level education providers, and agencies and schools where learners undertake work placement
- Institutions with which the College has a relationship for the provision of programmes, including US colleges for Study Abroad and Exchange Programmes, and Tusla for the Certificate in Therapeutic Foster Care
- The public at large, for example, in the course of conferring ceremonies where learner graduate status or another award is announced publicly, and where learners contribute to promotional materials, including the College website
- We may disclose your data to any recipient with your consent
- We will act in your best interests in an emergency situation, for example, disclose medical data to the emergency services in a life-threatening situation
- Public authorities and bodies where required or permitted by law, for example, the Department of Employment Affairs and Social Protection, Department of Education and Skills; and An Garda Síochána in connection with the prevention, investigation or detection of crime
- Sporting organisations to verify learner identity and registration status
- Organisations which provide funding to learners, for example, Uversity
- Data which requires to be retained permanently may be transferred to the Delany Archive, a charitable trust based in Carlow College, St. Patrick's, and in which the College is a partner.

Data subject rights

Data subjects have the following rights, subject to a number of restrictions which are set out in data protection legislation:

- The right to information about how we process your data
- The right to access the personal data we hold about you
- The right to request the rectification of incorrect or incomplete data
- The right to request the erasure of data, the so-called 'right to be forgotten'
- The right to restrict the processing of data
- The right to object to the processing of data, including where the College relies on its legitimate interests to process personal data
- The right to data portability, that is, the right to receive your personal data, which you provided to us, and to require the College to transfer it to another controller

- The right not to be subject to a decision made solely on automated processing, including profiling.

There is an informal procedure in place whereby learners may access their file held by Academic Administration without recourse to a formal data subject request. Learners may also contact the Data Protection Officer to request such access, if so wished. Learners who wish to make any other data subject request may contact the Data Protection Officer.

We will seek your consent to process personal data, where necessary. Where processing of personal data is based on consent, you may withdraw your consent at any time by contacting the office/staff member to whom you gave consent or the Data Protection Officer. Withdrawal of consent does not affect the lawfulness of processing prior to the withdrawal of consent.

Some of our systems make automatic calculations, such as our system for calculating grades. Rechecks by a human are available on request.

Third country transfer

In general, learner data is not transferred outside the European Economic Area (EEA). An exception which may occur is data connected with Study Abroad or Exchange Programmes. We are currently working on putting transfer mechanisms in place to protect your personal data in such circumstances.

Information security

Carlow College, St. Patrick's has a range of measures in place to protect the integrity and confidentiality of personal data, and to secure it against unauthorised access, loss, destruction or damage.

Retention

We will not keep your personal data for longer than is necessary. Detailed information on retention periods is set out in our Records of Processing Activities document. Many learner records are retained for the duration of your studies, but longer retention periods apply in some circumstances, for instance, to comply with audit requirements or to enable us to certify your attendance at the College and your examination results and qualifications, into the future.

Failure to provide data

You may decline to provide us with data in some circumstances. Where there is a statutory or contractual requirement for data we may not be in a position to enter into or continue a relationship with you, or to provide services to you.

Updates

This Privacy Notice may be updated from time to time in order to make necessary amendments.

Contact

If you have any queries about this Privacy Notice or wish to make a data protection request, please contact:

Bernie Deasy

Data Protection Officer

Email bdeasy@carlowcollege.ie, dataprotection@carlowcollege.ie

Telephone 059-9153200

Postal address Carlow College, St. Patrick's,
College Street,
Carlow.

How to make a complaint

If you are unhappy with the way in which your personal data has been processed, you may, in the first instance, contact the College's Data Protection Officer using the contact details provided above. If you remain dissatisfied, you have the right to complain to the Data Protection Commission at:

Email info@dataprotection.ie

Telephone +353 (0761) 104800

LoCall number 1890 25 22 31

Postal address Data Protection Commission,
Canal House,
Station Road,
Portarlinton,
Co. Laois,
R32 AP23.

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