

WEST MIDLANDS COMBINED AUTHORITY



Privacy Notice (For the funding year 1st August 2022 to 31st July 2023) Version 1

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Skills Programmes Privacy Notice for the Purpose of Data Collection.

How we use your personal information

The West Midlands Combined Authority (WMCA) is responsible for commissioning and funding adult education budget provision, including Free Courses for Jobs (FCFJ) for learners within the West Midlands. We may use your personal information in our delivery of this work. The privacy notice below describes how we will treat personal information.

The Combined Authority is the “data controller” for Adult Education Budget Funding, including Free Courses for Jobs (FCFJ)¹ in the West Midlands area from the 2022/23 academic year. The West Midlands Combined Authority has the responsibility for keeping your personal data safe, using it lawfully, and for ensuring your rights to privacy are respected.

We are responsible for managing the information that we hold, and we recognise that this information is important to you. We take our responsibilities seriously and use personal information fairly, correctly and safely in line with the UK’s data protection laws.

Anyone who receives information from us is also under a legal obligation to do the same and will have a set of data protection clauses included in any contract with us.

Where we need to share sensitive or confidential information, we will do so only with your consent, or where we are legally able to do so.

What is your “Personal Data”?

Personal data is information which is about you, and which identifies you as an individual. This means it could be used to make decisions which have a direct impact on you. The purpose of this notice is to explain how we will use the information you give to us, and what we will use it for.

Data protection law sets down the rules for data controllers (such as the Combined Authority), and rights for the people (known as “data subjects”) whose information is held by them (such as you).

As a data subject, you have rights under the law of data protection (the General Data Protection Regulation (GDPR)).

In line with these rules, we are registered with the Information Commissioner as a ‘data controller’. Our registration number is Z5897556

How and why, we collect your personal information

We collect your personal data where the law allows, where we have your consent to do so or where we have a legal obligation. We may also receive your personal data from third parties, including other government departments.

Your personal information is collected to enable us to carry out the functions of the WMCA. The lawful basis for collecting and using your personal information will depend on the service and will normally be:

- where we have a contractual obligation
- where we need to for the purposes of WMCA functions
- where we have your consent to do so
- where we have a legal obligation.

¹ Privacy notices for Skills Bootcamps can be accessed separately, these include a [privacy notice for individuals](#) and a [privacy notice for employer](#).

Personal data collected from you directly

We may collect information from you:

- face to face like when you fill in a form or survey at our careers fairs
- over the telephone like when you contact our helpdesks
- in correspondence that you send to us, like emails, letters and social media posts.

We may use personal data we collect directly from you to:

- send you information about our work
- improve the services we offer to you
- operate our complaints policy
- contact you for feedback on services we provide
- ensure the protection of public funds
- prevent and detect fraud.

Personal data collected from WMCA websites and social media channels

We may collect and process the following information:

- details of your visits to our website including the resources that you access, weblogs and other communication data
- subscriptions to our mailing lists.

We may use personal data we collect from websites and social media channels to:

- ensure that our website content is presented in the best way for you
- provide you with information, products or services that you request from us or which we feel may interest you, where you have given us your consent
- allow you to participate in interactive features of our service, when you choose to do so notify you about changes to our website or services.

Provider Information

During the life of your contract, we will ask Provider for the following information (either directly or via the provider's ILR return to the Education Skills Funding Agency):

Data and evidence held by the provider are necessary to ensure compliance with the AEB funding rules and secure the delivery of education and training of a reasonable quality by the Provider.

This is to ensure that the resources provided by WMCA are being used effectively and efficiently and includes but is not limited to, Application Data, Performance data, Delivery profiles and financial statement.

Personal data about learners

We collect personal data about learners from you, and third parties, including other government departments/agencies and from organisations funded by WMCA to provide learning.

Your personal information is processed by WMCA directly and/or the ESFA, who pass it to us when they process your information on behalf of the Department for Education (DfE), to enable the DfE to carry out its functions.

Learner contact information collected by the ESFA and the Combined Authority may be used for the purposes of research and surveys to enable the DfE and the Combined Authority 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.

We collect and process the following information:

- Enrolment and achievements - this is collected from learning providers following their funding terms and conditions. Learning providers include further education colleges and private training companies where you undertake learning.
- Individualised Learner Record (ILR) - information about you and what you are studying is collected by the ILR. See the [ILR privacy notice](#) for more details.
- Learning Records Service (LRS) - information about you is used by ESFA to issue you with a Unique Learner Number (ULN) and to create and keep your Personal Learning Record. See the [LRS privacy notice](#) for more details.

How we share your personal information

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

- with a third party who is working for WMCA 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:

- Education and Skills Funding Agency
- Department for Education
- Department for Work and Pensions
- Local and Combined Authorities in England.

In order for the DfE and the Combined Authority 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 West Midlands Combined Authority and/or the ESFA (for example, where a training provider is a limited company that is dissolved) the Combined Authority and/or 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.

How long we will keep your personal information

Personal information which you choose to share with us will be treated as confidential. Your data will be processed by our staff, who are all based in the UK. The data we process may be held internally on our own managed systems, externally on cloud-based services or on the systems of the DfE and the Education and Skills Funding Agency who process information on our behalf.

We will take necessary steps to keep your information safe. It will then be securely destroyed when it is no longer needed.

We will only keep your personal data for as long as we need it. WMCA has a disposal schedule for personal data based on the needs and the law.

We may need to keep some of your personal data for 66 years for research and producing statistics.

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

Under the Data Protection Act, you as the Data Subject, have the following rights. Each request will be reviewed and actioned wherever possible. However, you should be aware that, due to the reasons that WMCA may be processing your information we may not be able to comply with some requests due to legal obligations. You have the right to:

- to ask 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 access to any of your data protection rights regarding any of the above, please do so by following the process as detailed in [ESFA's Privacy Notice](#).

If you would like a copy of the personal information we hold about you please contact us at:

Email: Information.officer@wmca.org.uk

Address: Data Protection Officer, 16 Summer Lane, Birmingham, B19 3SD

Further information on processing your information

Learner information

Personal information is collected by the WMCA 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 ESFA and passed to us 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.

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.

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](#).

Sharing data

In order for the DfE to carry out its functions:

- the ESFA and training providers share data to ensure accuracy of the 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 the accuracy of the 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.

Complaints

If you wish to raise a complaint on how we have handled your personal information, you can contact our Data Protection Officer who will investigate the matter. Contact details are Information.officer@wmca.org.uk

We hope that we can address any concerns you may have, but if you remain unhappy you can contact the Information Commissioner's Office (ICO). For more information, visit: ico.org.uk

More Information

For more information on WMCA's privacy notice please visit the privacy notice on our [website](#).

Changes to this privacy notice

We may change this privacy notice and we encourage you to check this privacy notice from time to time.

Date last updated: 25/07/2022