

# R U N S H A W C O L L E G E

**DOCUMENT TITLE: Privacy Notice – Live Online Lesson and Meeting Recording**

**APPROVED BY:**

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SMT T&L Lead

**POSITION:**

Data Protection Officer

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## 1 Introduction

- 1.1 Runshaw College values the rights and privacy of all staff, students, parents/guardians, volunteers, contractors, suppliers, consultants and visitors who are directly affected by its activities or sites.
- 1.2 This privacy notice sets out how the College may collect and use the personal information collected from the recording of Live Online Lessons and Meetings.
- 1.3 The recording of Live Lessons and Meetings is limited to sessions where both Staff and Students are present.
- 1.4 In accordance with the General Data Protection Regulation 2016 and the Data Protection Act 2018, the College aims to:
  - Be open with people about how we use their information.
  - Keep information no longer than is necessary.
  - Make sure information is accurate.
  - Ensure that information is held, and processed securely.
  - Understand the information it holds, and what can be done with it (such as sharing)
  - Recognise a Data Breach and handle it accordingly.

## 2 Categories of Personal Information

- 2.1 The college may collect or acquire information relating to Staff and Students roughly categorised as:
  - Personal Information (such as name, date of birth, address).
  - Service Usage (such as participation information, IP address, location information).
  - Likeness/Biometric Information (such as identifiable images and voice recordings).

## 3 Why We Collect and Use Information

- 3.1 Students and Teachers
  - To support teaching and learning.
  - To monitor and report on progress and engagement.
  - To provide appropriate pastoral care.
  - For Safeguarding and Security purposes.

#### **4 The Lawful Basis for Which We Carry Out Processing**

4.1 In order to comply with the General Data Protection Regulation, we will inform Staff and Students where they are required to provide certain information or whether there is choice.

4.2 The General Data Protection Regulation sets forth a number of legal basis' for processing personal information.

4.3 The College will process Personal Information under a number of these grounds:

- Consent (Art. 6.1.a).

4.4 In addition, the College will process Sensitive/Special Categories of Information where:

- Consent has been given (Art. 9.1.a).

4.5 The General Data Protection Regulation sets forth a number of legal basis' for processing personal information.

4.6 In line with GDPR Recital 32, this will be facilitated by means of "choosing technical settings". Upon entry to a Live, Online Lesson the individual will opt-in by means of displaying their webcam, and/or allowing the use of their microphone.

4.7 A reminder regarding this mechanism for opting-in to recording has been added to the short User Agreement displayed upon login to a College PC or to a service accessed via the Microsoft Azure Platform.

4.8 The wording of this reminder notice is as follows:

"Online lessons may be recorded and shared for Teaching and Learning purposes, by enabling your Camera and Microphone upon entering the lesson you are consenting to this use of your personal data. More information can be found in the Live Online Lesson & Meeting Recording Privacy Notice."

#### **5 Legitimate Interests for the Processing of Personal Information**

5.1 In relation to Safeguarding, the College reserves the right to rely on the Legal Basis of Legitimate Interests for the recording of Live Online Lessons and Meetings.

#### **6 Sources of Personal Information**

6.1 Recording of Audio and Video will take place throughout the duration of a Live Online Lesson or Meeting where both Staff and Students are present.

6.2 The recording will be instigated by any member of Staff present at the commencement of the session.

#### **7 Failure to Provide Information**

7.1 Students who choose not to consent to recording may limit their opportunities for interaction in the lesson.

#### **8 Storing & Retaining Information**

8.1 Normally we will hold recordings for six calendar months following the completion of the Live Online Lesson or meeting.

8.2 In certain circumstances, the College may be required to keep full or partial Student records in order to meet its safeguarding obligations. If this is the case, information will be kept for up to Twelve Years following the end of the academic year in which the student's studies are completed.

8.3 Recorded Video and Audio will be stored in the College's Microsoft Cloud platform (Onedrive/Stream).

## **9 Security**

9.1 The security of the College's systems which process and store data are regularly reviewed in accordance with the requirements set out in the Information Security Policy. This can be found at:

<https://www.runshaw.ac.uk/college-policies/>

## **10 Who We Share Student Information With**

10.1 The College may share recordings with:

- Students.
- Staff.
- Our Local Authority (Lancashire County Council).
- Student's Local Authorities (If different to ours).
- The Department for Education (DfE).
- The Department for Work and Pensions (DWP).
- The Education and Skills Funding Agency (ESFA).
- Awarding Bodies for Qualifications

## **11 Why We Share Information**

11.1 We do not share information about our students or staff with anyone without consent, unless the law or our policies allow us to do so.

11.2 We share students' data with the Education and Skills Funding Agency and the Higher Education Funding Council on a statutory basis. This data sharing underpins our funding and monitoring.

11.3 We are required to share information about our students with our local authority in order for them to carry out their statutory duty regarding the participation of young people in education or training.

## **12 Withdrawing Consent**

12.1 Where information has been provided on the basis of consent, you have the right to withdraw that consent.

12.2 Staff and Students wishing to withdraw consent should consult the Programme Office or HR who will direct the request to the relevant team.

12.3 In all other instances those wishing to withdraw their consent should contact the Data Protection Officer, whose details can be found below.

## **13 Third Country Transfers**

13.1 The College does not normally transfer your personal information to third-countries, however should the need arise for this to take place we will endeavor to inform you along with information related to safeguards in place.

## **14 Data Controller**

14.1 The Data Controller for information we process is Runshaw College unless otherwise stated.

14.2 Our postal address is:

Runshaw College  
Langdale Road  
Leyland  
PR25 3DQ

## **15 Questions or Concerns about Personal Data**

15.1 If you have any questions or concerns about the College's collection, use, or disclosure of personal information, please email the College's Data Protection Officer:

[DataProtectionOfficer@runshaw.ac.uk](mailto:DataProtectionOfficer@runshaw.ac.uk)

15.2 You can also contact the College's Data Protection Officer by writing to:

The Data Protection Officer  
Runshaw College  
Langdale Road  
Leyland  
PR25 3DQ

## **16 Data Protection Policy**

16.1 Further information regarding the College's use of student information can be found by reviewing the Data Protection Policy.

16.2 The College's Data Protection Policy can be found at:

<https://www.runshaw.ac.uk/college-policies/>

## **17 Your Rights**

17.1 Under the General Data Protection Regulation, subjects have under certain circumstances a number of rights.

17.2 Subjects may have the right to:

- Access information held about them by the College.
- Object to processing of personal data that is likely to cause, or is causing, damage or distress.
- Prevent processing for the purposes of direct marketing.
- Object to decisions being taken by automated means.
- Have inaccurate data rectified, blocked, erased or destroyed.
- Claim compensation to damages caused by a breach of the General Data Protection Regulation.

17.3 In order to exercise your rights regarding personal information, please contact the College's Data Protection Officer using the details found above.

## **18 Complaints**

18.1 If you have a complaint about the way the College is collecting or using personal data, we request that you raise your concern with the College's Data Protection Officer in the first instance.

- 18.2 Alternatively, you may follow the guidance available in the Complaints Policy which can be found by visiting:

<https://www.runshaw.ac.uk/college-policies/>

- 18.3 Alternatively, you can contact the Information Commissioner's Office at:

<https://ico.org.uk/concerns/>

## **19 Data Collection Requirements**

- 19.1 To find out more about the data collection requirements placed on us by the Education and Skills Funding Agency, please visit:

<https://www.gov.uk/government/publications/advice-individualised-learner-record-ilr-returns>

- 19.2 The Education and Skills Funding Agency publish a privacy notice which can be found by visiting:

<https://www.gov.uk/government/publications/esfa-privacy-notice>

## **20 Children**

- 20.1 The college does not knowingly solicit information from children under the age of 13 or send them requests for personal information.

## **21 Changes to This Privacy Notice**

- 21.1 From time to time, the College may review the contents of this Privacy Notice. The latest version of this Privacy Notice should always be found by visiting:

<https://www.runshaw.ac.uk/college-policies/>

## **22 Related Policies**

Data Protection Policy

Information Security Policy

Archive and Retention Policy

Privacy Notice – Staff

Privacy Notice – Students

Acceptable Use of IT Facilities Policy

Internet Access and Online Safety Policy

Social Media Policy

Child and Vulnerable Adult Policy

Professional Practice – guidelines for safer working practice for all staff who work with children, young people, or vulnerable adults.

Guidelines For Staff Interacting Online With Students

## Document Control

### Document Identifier

DP-458

### Distribution List

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Alex Harding	Data Protection Officer	IT Services
Kevin Chadwick	Deputy DPO	QMIST
GDPR-Working Group		Functions
SMT-Facilities		SMT

### Version History

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1.0	IM-47130	18/08/2018	Alex Harding	Initial draft.
1.1	IM-47130	07/09/2020	Alex Harding	Approved SMT Ops