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## Guidance

# Further education and skills: Ofsted privacy notice

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Ofsted is the Office for Standards in Education, Children's Services and Skills, a non-ministerial government department. We inspect and regulate services that care for children and young people, and inspect services providing education and skills for learners of all ages.

Ofsted is the data controller for the personal data described in this notice.

This privacy notice covers further education and skills providers, including further education colleges; sixth-form colleges; independent specialist colleges; dance and drama colleges; independent learning providers; local authority providers; specialist designated institutions; not-for-profit organisations; employer providers; higher education institutions where they provide further education; prime contractors for the National Careers Service and 16 to 19 academies and free schools.

You can jump directly to the relevant section if you:

- [are a learner in a college or further education and skills provider](#)
- [work for a college or further education and skills provider, or are part of its](#)

[leadership team](#)

- [are an employer of learners or apprentices](#)

## Why we process this personal data

Under [Part 8 of the Education and Inspections Act 2006](#), Ofsted is responsible for inspecting further education and skills providers in England and for publishing reports about this work. To help us carry out this work we hold and process some information about learners and their performance.

It is necessary for us to use this information, the views of learners, employers and staff and the observations of our inspectors to help us make judgements and report on further education and skills providers' performance.

## How we will use information about you

This section sets out how we will use data for different types of people.

### **I am a learner in a college or further education and skills provider**

We may collect information about you from the Education and Skills Funding Agency to help us prepare for and carry out inspections of your college or further education and skills provider. We will also use this to help produce our official statistics, surveys and publications, analysis, research and insight.

During an inspection of your learning provider, the inspectors will collect information about learners. They will do this by talking to them, looking at their performance records and recording observations of their learning experiences.

Some of the information may make it possible to identify a particular individual. We will not publish any information that could do this in our report.

### **I work for a college or further education and skills provider or I am part of its leadership team**

During inspection, inspectors will record evidence of the teaching and training that they observe and also what teachers, trainers and the provider's leadership team tell them. We do not normally keep records of the names of teaching and/or

training staff, but inspectors will sometimes look at the provider's employment records to ensure that it has carried out safe and appropriate recruitment.

Any report we publish will include the names of the principal or the chief executive (or equivalent), and each report will comment directly on the effectiveness of leadership and management in a provider.

## **I am an employer of learners or apprentices**

During inspection, inspectors will receive information about employers, for example their name and contact details. They will use this information to talk to the employers about their experiences with the training provider and learners. Inspectors may record the employers' views to help them with the inspection.

## **Types of personal data that we might hold**

We process a range of personal data because we inspect further education and skills providers in England. In most cases, we do not record names. However, it may be possible for some people to be identified from the information we have recorded alone or in combination with other information.

The Education and Skills Funding Agency give us a unique number for each student and data, including information about:

- learning performance
- age
- date of birth
- postcode
- start/leave dates
- ethnicity
- first language
- special educational needs and disabilities
- gender
- employment/unemployment status

The information we hold about learners may also include:

- observations made by inspectors while at the provision
- information provided to us from people giving us their views about the provision, including information about safeguarding

For teachers, trainers and leadership teams, we may get in the course of inspections:

- information about the employment and performance of staff
- staff's personal opinions relevant to their work
- details of previous employment/references from staff files and other suitability checks

## Who we might share personal data with

In certain circumstances, we may share personal data with the following organisations:

- local authorities
- the Department for Education
- the Education and Skills Funding Agency
- the Disclosure and Barring Service
- the Institute for Apprenticeships
- the Office for Students
- the Quality Assurance Agency for Higher Education
- HMI Prisons
- Health and Safety Executive
- Ofqual
- the police

We [share information with child protection agencies](#) in line with our legal duties and other statutory guidance issued by the government.

We may also share information with colleagues within Ofsted who need it to do their job.

## How long we keep personal data and how we decide this

We will normally keep inspection evidence for 6 months after completing an inspection, unless it is needed for another purpose (for example, if a complaint has been made about the inspection or if there is legal action about it).

We hold any personal data we get from the Education and Skills Funding Agency about learners for 5 years.

# Where the personal data comes from

As well as information recorded by our inspectors, personal data can come from a variety of sources outside of Ofsted. We may receive information from other public authorities and members of the public.

Public authorities include, but are not limited to:

- the Department for Education
- the Education and Skills Funding Agency
- local authorities
- the Disclosure and Barring Service
- other government departments
- the Institute for Apprenticeships
- Office for Students
- the Quality Assurance Agency for Higher Education
- HMI Prisons
- the Ministry of Defence
- the Ministry of Justice

Members of the public include, but are not limited to:

- learners
- teaching staff
- the press
- unrelated members of the public
- further education and skills providers

We receive this information through our telephone contact centre, emails, written correspondence, social media, online forms, referrals from other internal teams or from inspection.

## The legal requirement to give us this information

Individuals and organisations do have legal requirements to provide information to Ofsted.

Ofsted has powers under [section 132 of the Education and Inspections Act 2006](#) that relate to inspecting providers of further education and skills for learners aged 16 and over. We can 'inspect, take copies of, or take away any documents relating to the education or training' of students from those premises. These powers also enable our inspectors to inspect computers and other devices which may hold

such information.

## Your rights and contacting Ofsted

For more about your rights and how to get in touch with us about the information we hold, view the [Ofsted personal information charter](#).

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