



## Access Training Privacy Notice

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## 1. Introduction

Access Training is committed to preserving the privacy of its staff, employers and learners to comply with the Data Protection Act (DPA) 2018 and the General Data Protection Regulation (GDPR) 2018.

The data protection principles are set out in the DPA (2018). Articles 5 and 6 of the GDPR (2018) will describe the ways in which we use the personal data that we collect.

The Privacy Notice applies to information that Access Training collects about:

- People who undertake a learning programme with Access Training (learners)
- People who are employed by Access Training or work under a contract for services e.g. an associate
- Employers who work with Access Training in the delivery of a learning programme
- Individuals who request information from Access Training.

This Privacy Notice explains what Personally Identifiable Information and Special Category Data Access Training collects, why we need it, and what we do with it.

## 2. Personally Identifiable Information (PII) and Special Category Data (SCD)

PII is data that makes you identifiable, for example your name, address, data of birth, National Insurance Number, etc.

SCD specifically relates to personal data revealing:

- Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- 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.

Such information will be stored and protected in line with the DPA (2018).

## 3. Categories of the information that Access Training collects, holds and shares

This includes, but is not limited to:

Personal data collected	When we collect it
Name, address, postcode, NI number, contact information, date of birth, next of kin	Learner sign up / Information, Advice & Guidance (IAG), when a new staff member commences employment
Bank details	Once entitlement to learner bursary is confirmed
Bank details, tax code, tax history for tax year	When a new staff member or associate commences employment / work
Photograph (with consent)	When a learner / staff member commences a programme / employment with us
Ethnicity, religion, sexual orientation, disability and nationality	Learner sign up / IAG, when a new staff member commences employment
Special Educational Needs (SEN)	Learner sign up / IAG.
Education, qualifications and experience	Learner sign up / IAG, application of employment
Financial details	Setting up supplier payments, direct debits

Company / organisation details	When agreement is made to place a learner for an apprenticeship or work experience opportunity
Website usage data	When people visit our website (see section 18)

#### 4. Where do we get your personal data from?

We collect personal information about you from various sources which may include:

- Directly from you
- From family members
- From third parties acting on your behalf
- From companies that sub-contract to us
- From Access 2 Apprenticeships
- From current and/or previous employers
- From Access Training business partners (for example recruitment providers, agencies, contractors)
- From government bodies including local authorities, law enforcement agencies, social care agencies
- From external funding providers
- From medical practitioners
- We may also collect personal information about you via our website [www.atem.co.uk](http://www.atem.co.uk), through online or paper forms, telephone calls, face to face meetings, home visits, email, surveys, social media or web chat.

#### 5. Data Controller

We are the organisation who is responsible for deciding how we collect and use your information. Access Training has a Data Protection Manager and a dedicated GDPR committee who work together to ensure that we constantly review ways in which data is processed and how we can continually protect our data in line with the GDPR. The GDPR committee can be contacted on [gdpr@atem.co.uk](mailto:gdpr@atem.co.uk).

#### 6. Data processing

Access Training as 'Data Controller' have a number of 'Data Processors'. These are people or organisations which process data for us.

- Awarding bodies - e.g. City & Guilds, ABC Awards, Chartered Institute of Housing, Highfields, Institute of Leadership & Management
- Education & Skills Funding Agency (ESFA)
- Her Majesty Revenue & Customs (HMRC)
- Nest (our workplace pension provider)
- Ofsted
- PICS (software used by training providers that deliver ESFA programmes, to store learner information)
- Sage
- Schools that place learners with us
- Student Loan Company
- Walled Garden

#### 7. How and why do we use your personal data

When you choose to share data with Access Training we will only process this data where we have a legal reason to process it, or with your consent. We may use your personal data for the following purposes (PTO):

Purposes of data	Specifically	Our lawful basis for doing so
To manage your programme	To process applications, enrolments and contracts.	Performance of a contract
	To set up and maintain a learner agreement with you, we require personal information to help us identify you and in some cases, those you are living with. You are responsible for letting those people know that we hold this information. We store your information electronically in PICS (see section 6 for explanation) and scanned hard copies in an internal database.	Performance of a contract
	To be able to determine eligibility for our courses when signing you up on programme. We can only do this if you supply us with the information we ask for.	Performance of a contract
	To enable us to assess any financial entitlement such as bursary, student loans and travel reimbursement, we will need information about your personal and financial circumstances.	Legal obligation
To meet contractual requirements	To fulfil our contractual / legal duties as a training provider, we have to provide the ESFA with certain information about you in order to draw down funding for your training. We can only do this if you supply us with the information we ask for.	Performance of a contract Legal obligation
To provide a quality service	To ensure we meet a certain quality standard we collect feedback from learners and employers in the form of surveys and progression information. We can only do this if you supply us with feedback on the service that you receive and what path you choose to take upon completing your qualification with us.	Performance of a contract Legitimate interests
Recruitment and employment	To support our recruitment processes we will need certain information about you and your employment history / experience. Any	Perform a contract

	application forms or CVs that are submitted to the company on a speculative basis at a time when it is not recruiting will be destroyed upon receipt and the candidate will be informed of this as it is not company policy to retain them.	
	To process contracts of employment for successful candidates. If you secure employment with us we will need additional information to that supplied at the recruitment stage.	Perform a contract
Security and safety	For the prevention and detection of crime. This may be through use of CCTV image recording, or as a result of an investigation / review.	Legal obligation Legitimate interests
	To record and identify all visitors to our premises for the purposes of security and Health & Safety.	Legitimate interests
	To ensure we can assist you (learners and staff members) if you need emergency help or assistance, we may need to contact your next of kin. You are responsible for letting them know we are using their information for this purpose.	Vital interests
Customer service and complaint resolution	For customer research purposes we may contact you to check you are happy with the service you have received. This is so we can address any issues and improve our customer service.	Legitimate interests
	To effectively deal with complaints. In addition to collecting your name and contact details, we may need to ask you for further information to assist us in investigating and resolving your complaint. We will only ask you for information which is relevant to your complaint.	Perform a contract Legitimate interests
	To offer money advice we will need certain details about your personal and	Consent from the data subject

	financial situation. We will only provide you with advice if you ask for it.	
	To enable you to share feedback and concerns with us, so we can satisfactorily resolve them where appropriate.	Perform a contract
Financial purposes	To enable us to process payments, including making sure you pay the correct amount of tax, we may need banking details, and other financial information from you. In the case of suppliers, we will need certain information such as bank details to pay invoices and set up direct debits.	Perform a contract
Keeping you up to date	To enable us to provide you with useful information and any updates / changes regarding our service - this does not include marketing communications, as we need your consent to do this.	Legitimate interests
	To enable us to share case studies or news stories about you.	Consent
	To enable us to create effective promotional, marketing and/or commercial publications.	Legitimate interests
Legal, statutory and contractual obligations	To meet the requirements of our regulator and assist us in meeting our statutory obligations we may need to process some of your personal information.	Legal obligation
	To fulfil our contractual obligations we will need details including your name, company address, contact details and financial/banking information.	Legitimate interests
	For analysis purposes and to produce equality and diversity statistical information, we may hold and use some special category data such as your gender, ethnicity, religion, disability or sexual orientation.	Legitimate interests

At no time will Access Training use the information provided for anything other than the reasons stated in this Privacy Notice. There may be occasions where we need to process

your information for another purpose. If this is the case, we will let you know and will update this Privacy Notice.

If we rely on consent for processing your personal information, you can remove your consent at any time by emailing our GDPR Committee at [gdpr@atem.co.uk](mailto:gdpr@atem.co.uk).

## 8. Protection of data collected

We will take every step to ensure that your data is protected and that we are compliant with both the GDPR and DPA (2018). You must be guarded when sharing personal data online that the page is secure as we aren't able to offer protection on information transferred via the internet. Access Training will ensure that information once received will be protected and daily checks on our servers will take place. All our systems that contain personal data are password protected and are changed at appropriate intervals.

## 9. Marketing

We'd like to keep you up to date with information about our products and services. However, we will always ask for your consent to do this, so you stay in control of what we send to you and when we contact you. Even if you do consent and then change your mind, you can withdraw your consent at any time by emailing [gdpr@atem.co.uk](mailto:gdpr@atem.co.uk).

## 10. Data storage

Data relating to our funded contracts (such as the ESFA), current / ex-employees and financial data will be stored in line with the associated legal or contractual requirements.

## 11. Information sharing and disclosure

Access Training does not sell or rent personal information. Information may by necessity be disclosed to government bodies such as the ESFA and HMRC.

Organisations that Access Training may share personal information with includes:

- Awarding Bodies
- Companies House
- Department for Education
- Employers
- Ofsted
- Pension Service (NEST)
- Police
- Schools
- Social Care
- Sub-contractors
- Third party companies that may contact ex-learners to identify their progression following completion of a course with us.

On occasions, we may also discuss a learner's progress with their parent / guardian if they are under 18.

## 12. Your rights under data protection laws

You have 8 rights under the new law, which are as follows:

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to data portability

- The right to object
- Rights in relation to automated decision making and profiling.

### 13. Subject Access Requests

You have the right to request a copy of the information that we hold on you. If you would like a copy of some or all your personal information, please email or write to us at the following address: [gdpr@atem.co.uk](mailto:gdpr@atem.co.uk) or GDPR Committee, Cawley House, 96 Cliff Road, Nottingham, NG1 1GW. We will respond to your request within one month of receipt of the request.

### 14. Objections to the processing of personal data / your right to be forgotten

You have the right to object to the processing of your personal data in certain circumstances. There may be situations where we can legally deny your request, but if this is the case we will explain the reason(s) to you.

In some circumstances you can ask us to delete or restrict your personal information. To make such a request, please email or write to us at the following address: [gdpr@atem.co.uk](mailto:gdpr@atem.co.uk) or GDPR Committee, Cawley House, 96 Cliff Road, Nottingham, NG1 1GW.

### 15. Data portability

You have the right to receive the personal data which you have given to us, in a structured, commonly used and machine-readable format and have the right to transmit that data to another controller without delay from the current controller if:

- (a) The processing is based on consent or in a contract, and
- (b) The processing is carried out by automated means.

### 16. Other websites

Our website may contain links to other websites. This Privacy Notice is only applicable to the Access Training website so when linking to other websites, you must read their own privacy notices.

### 17. Social media

We work with third parties, including social network sites such as Facebook, Twitter, Instagram and LinkedIn. We use them to keep you updated on our products and services, share news stories and videos and to offer alternative ways for you to make contact with us.

All of these companies operate Third Party Sites. We cannot control how your data is collected, stored, used or shared by these Third Party Sites or to whom it is disclosed. Please be sure to review the privacy policies and privacy settings on your social networking sites to make sure you understand the information they are sharing. If you do not want a Third Party Site to share information about you, you must contact that site and determine whether it gives you the opportunity to opt-out of sharing such information. Access Training is not responsible for how these Third Party Sites may use information collected from or about you.

Social media posts on the Access Training website are publicly available and therefore you should not submit personal information about yourself using these channels. If you decide to use social media to contact us, you accept full responsibility for the security and use of the data provided. Any private messages sent using social media will only be stored for the duration of dealing with your enquiry and any information provided will not be used for any other purposes than customer support.



## 18. Use of Google Analytics and Cookies

We use Google Analytics to collect anonymous information about use of our website. Google Analytics collects information such as how often users visit this site, what pages they visit, when they do so and what other sites they used prior to coming to this site. We use the information we get from Google Analytics only to improve our website.

Although Google Analytics places a permanent cookie on your web browser to identify you as a unique user next time you visit our website, the cookie cannot be used by anyone but Google whose ability to use and share information collected by Google Analytics about your visits to this site is restricted by the Google Analytics Terms of Use and the Google Privacy Policy.

Google Analytics uses cookies to define user sessions, which allows for the collection of data about how visitors are using the websites. First Party Cookies are used which means that the cookies are linked to a specific website domain and Google Analytics will only use that cookie for statistical analysis related to your browsing behaviour on that specific website.

If you wish to, you can opt out by turning off cookies in the preferences settings in your web browser or you can use Google's opt out tool within Chrome.

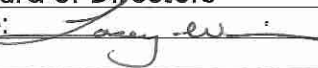
## 19. Complaints regarding data protection

The organisation is dedicated to being compliant with the DPA (2018) and the GDPR (2018). Individuals, any member of staff, applicants or a learner wishing to report concerns should, in the first instance, contact the GDPR Committee who will aim to resolve any issue, at [gdpr@atem.co.uk](mailto:gdpr@atem.co.uk) or GDPR Committee, Cawley House, 96 Cliff Road, Nottingham, NG1 1GW.

If the individual feels the complaint has not been dealt with to their satisfaction, they can formally complain to the Information Commissioner's Office at <https://ico.org.uk/make-a-complaint/> or Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

## 20. Changes to our Privacy Notice

Access Training reserve the right to update this Privacy Notice at any time to take account of changes in our business and legal requirements.

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<b>Authorised by Managing Director</b>	<b>Authorised by Board of Directors</b>
Name / Signature: Corrina Hembury	Name / Signature: 
Date: 10.11.19	Date: 28.11.19
<b>Associated Forms</b>	
n/a	