

## PRIVACY & DATA PROTECTION POLICY

The purpose of this policy is to set out the obligations of Vocational Training Services Care Sector Limited (VTS) in ensuring the rights of individuals regarding privacy and data protection with regards to their personal information. It should be considered along with our Privacy Notice and our Storage & Retention of Documents Policy.

VTS will strive at all times to ensure compliance with UK law with regard to the handling of individuals' personal information. Currently this is the UK Data protection Act 1998 (DPA) which is the UK's implementation of the General Data Protection Regulation (GDPR).

The GDPR defines "personal data" as any information relating to an identified or identifiable natural person (a "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 natural person.

This Policy sets out VTS's obligations regarding the collection, processing, transfer, storage, and disposal of personal data. VTS will ensure that all employees, agents or any other organisations processing data on its behalf are aware of and will adhere to these obligations.

### Registration with ICO

VTS is registered with the ICO as a data controller. VTS is a data controller with regard to personal information processing for its employees, individuals and organisations with whom it has a direct contract for services, and for the purposes of marketing to individuals and businesses which may be interested in its services. VTS will ensure that this registration is kept up to date.

VTS acts a data processor with regard to personal information processing for learning programmes funded by the Department for Education (DfE) via the Education and Skills Funding Agency (ESFA) or the Student Loan Company (SLC). VTS will ensure that this personal data is processed in accordance with requirements of the relevant data controller.

### Collection of Individuals' personal information

VTS acknowledges that under the DPA and the GDPR, there are two types of personal information, personal data and sensitive personal data. VTS collects both types of information in order to carry out its primary business function as a training provider of education and skills. VTS will only collect such personal information as is necessary to fulfil the obligations of its primary business function.

### Data protection principles

The DPA and the GDPR set out the principles under which individuals' personal information, both regular data and sensitive data may be collected, processed, stored & retained. VTS will

strive to ensure that these principles are always followed. We will ensure that the information is:

- used fairly, lawfully and transparently.
- used for specified, explicit purposes.
- used in a way that is adequate, relevant and limited to only what is necessary.
- accurate and, where necessary, kept up to date.
- kept for no longer than is necessary.
- handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage.

### **What we use personal information for**

VTS uses the personal information it collects to create and maintain accurate and comprehensive records of individuals' learning programmes in the format required by the various organisations involved, for example the ESFA, SLC and certification bodies. VTS may use individuals' non-sensitive data from time to time for the purposes of research to ensure ongoing quality and customer satisfaction. VTS may also use non-sensitive personal information for marketing purposes.

### **The rights of individuals**

VTS acknowledges that under the DPA Act 2018, individuals have a right to find out what information the government & other organisations are holding about them. This includes the right to:

- be informed about how their data is being used.
- access personal data.
- have incorrect data updated.
- have data erased.
- stop or restrict the processing of their data.
- data portability (allowing them to get and reuse their data for different services)
- object to how their data is processed in certain circumstances.

### **Lawful base for processing**

VTS has identified two lawful bases for processing personal data in different circumstances:

- Where VTS had/has a contract to provide services to either an individual or an organisation, it will process personal data in accordance with the lawful base of 'contracts' as defined in the GDPR
- Where VTS does not have a contract to provide services to an individual or organisation, it may process individuals' personal data under the lawful basis of 'legitimate interest' as defined in the GDPR. In this circumstance the personal data will only be used for

marketing and/or research purposes and only in a way that would not be a surprise to the individual. For example, we may contact local businesses who work in the healthcare industry, but with whom we are not already working, to introduce them to our services.

### **Sharing of personal information**

VTS will only share individual's personal information with those organisations necessary in order to fulfil its primary business function and to meet any contractual or statutory requirements. For examples, we need to share learner data with the ESFA and certification bodies amongst others. We will not sell individuals personal data under any circumstances, nor will we share it with any organisations unless we are contractually bound to do so, or unless it is necessary to fulfil our business function.

### **Security of personal information**

VTS takes the security of individuals' personal information extremely seriously. VTS will ensure that all personal information is processed, stored and retained in a manner which safeguards it against unauthorised or unlawful processing and accidental damage or loss. For example, our internal computer systems are secured, password protected and regularly backed up. Hard storage of personal information is only accessible to authorised personnel.

### **Retention and destruction of individuals' personal information**

VTS retains individuals' personal information only for as long as necessary in order to comply with the various contractual and statutory obligations relating to its primary business function. More details can be found in VTS's document retention policy. When personal data is no longer required to be retained, it is securely destroyed.

### **Responsibility**

All staff at VTS are made aware that they have a responsibility to handle individuals' personal information in accordance with this policy. However ultimate responsibility for implementation, review and compliance lies with the Director(s).

### **Customer Care**

All individuals, staff & organisations for whom we collect and store personal information are made aware of this policy and our Privacy Notice. We will treat all requests for information under the DPA in accordance with current UK government guidelines.

### **Further information**

Further information and detailed explanation of the DPAS and GDPR can be found at [www.ico.org.uk](http://www.ico.org.uk)