

## PRIVACY & DATA PROTECTION POLICY

The purpose of this policy is to outline the obligations of Vocational Training Services Care Sector Limited (VTS) regarding privacy and data protection in relation to personal information. This policy should be read alongside our Privacy Notice and our Storage & Retention of Documents Policy.

VTS is committed to compliance with UK law concerning the handling of personal information, including the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA 2018).

### Definitions

Under the UK GDPR:

- **Personal Data:** Any information relating to an identified or identifiable natural person ("data subject").
- **Special Category Data:** Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, health data, or data concerning a person's sex life or sexual orientation.

This policy sets out VTS's obligations regarding the collection, processing, transfer, storage, and disposal of personal data. It applies to all employees, agents, and organisations processing data on behalf of VTS

### Registration with the ICO

VTS is registered with the **Information Commissioner's Office (ICO)** as a data controller. This registration is maintained and kept up to date.

### Roles:

- **Data Controller:** VTS acts as a data controller for employees, individuals and organisations with whom it has a direct contract for services, and marketing purposes.
- **Data Processor:** VTS processes personal data on behalf of third parties, such as learning programs funded by the Department for Education (DfE) via the Education and Skills Funding Agency (ESFA) or the Student Loan Company (SLC).

As a processor, VTS ensures compliance with the data controller's instructions and legal obligations.

### Data Collection and Processing

VTS collects and processes personal data and special category data only where necessary for:

1. Delivering its primary business function as a training provider.
2. Meeting contractual or statutory obligations.

**Data Protection Principles:** VTS adheres to the following principles:

1. Data is processed lawfully, fairly, and transparently.
2. Data is collected for specified, explicit, and legitimate purposes.
3. Data is limited to what is necessary for processing.
4. Data is accurate and kept up to date.
5. Data is retained only for as long as necessary.
6. Data is processed securely to protect against unauthorized access, loss, or damage.

### Lawful Bases for Processing

VTS processes personal data under the following lawful bases:

- **Contract:** When processing is necessary to fulfil a contract with an individual or organisation.
- **Legitimate Interests:** When processing is required for VTS's legitimate interests, provided it does not override the rights and freedoms of data subjects. For example, contacting local businesses for marketing purposes.

Special category data is processed only under additional lawful conditions, such as explicit consent or compliance with legal obligations.

### Data Subject Rights

Under the UK GDPR, individuals have the right to:

1. Be informed about how their data is being used.
2. Access their personal data.
3. Rectification of inaccurate or incomplete data.
4. Erasure of data ("right to be forgotten").
5. Restrict Processing of their data.
6. Data Portability: Receive their data in a structured, commonly used format.
7. Object to processing in certain circumstances.
8. Not be subject to automated decision-making or profiling without explicit consent.

VTS ensures that requests related to these rights are handled promptly and in line with ICO guidelines.

### Data Sharing

VTS shares personal data only when necessary to fulfil contractual or statutory requirements.

Examples include:

- Sharing learner data with the ESFA or certification bodies.

VTS does not sell personal data under any circumstances.

## Security Measures

VTS prioritises the security of personal data. Measures include:

- Secure, password-protected IT systems with regular backups.
- Limited access to hard-copy records, restricted to authorised personnel.
- Regular staff training on data protection responsibilities.
- Procedures to address data breaches promptly, including reporting to the ICO if required.

## Data Retention and Destruction

VTS retains personal data only as long as necessary to meet contractual and legal obligations. Once retention periods lapse, data is securely destroyed in compliance with the Storage & Retention of Documents Policy.

## Responsibility

All VTS staff must handle personal data in line with this policy. Ultimate responsibility for data protection compliance lies with the Director.

## Customer Care

VTS ensures transparency by:

- Providing this policy and Privacy Notice to individuals.
- Responding to all data subject requests in accordance with the UK GDPR.

## Further Information

For more details on data protection, visit the **Information Commissioner's Office (ICO)** website at [www.ico.org.uk](http://www.ico.org.uk).