

Introduction

EWS Training Limited (the “centre”) is committed to protecting your privacy and personal data. This Privacy Notice informs you of what data we collect, why we collect it and what we do with it, so you can be confident that your personal data is in safe hands. It will also let you know the rights you have, and the choices that you can make to ensure control over your personal data. The centre is the data controller and/or processor for personal data relating to you.

Information that we collect

Applicants

- We collect your personal information when you enquire about or apply for a course at EWS Training using either our website or a paper application form. This will include your name, title, birth date, age and gender as well as contact details including address, email address and phone number, as well as information relevant to the course you have applied for.

Learners

- When you enrol at the centre, we will create a record in our student records system.
- We capture information including:
 - Personal details including name, date of birth, contact details, National Insurance number, gender and ethnicity.
 - Details of previous qualifications.
 - Details of any health or medical conditions, including whether you have a disability or learning difficulty.
 - Details about criminal convictions.
- During assessment visits we will capture personal information such as:
 - Your progress, attendance and any support needs identified.
- We use your information to lookup or create a Unique Learner Number (ULN) on a government database called Learning Records Service (LRS).

Tutors / Assessment Team

We will collect personal information from you when you apply to work with us. This will include:

- Personal details such as your name, date of birth, contact details, gender, and (or other tax identification number)
- Information relating to your education and employment history
- Where relevant, health information (including any disabilities) and other equality-monitoring data you provide to us

- Criminal conviction information
- Your bank and pay details

Employers

- We will store contact information including name, email, and telephone for employers in our Customer Relationship Management and finance databases.

Website users

We capture information from our website using cookies that can be placed on your computer to enable us to offer a better experience for web users, and to track visitor numbers to our website. This information tells us how many times you visit a page, how long you viewed it and the search engine and search terms used, as well as the geographical location. In some instances, EWS Training website pages use third party services or software, such as social networking features, online videos. Many of these services may set cookies on your device.

For instance, videos embedded on our pages that are hosted on You Tube will lay down Google tracking cookies, in most instances our sites allow you to customise your permissions with regard to tracking, but in some instances such as this one, permissions are implied by the host provider.

How we use information that we collect

Applicants

When you enquire or apply for a course, we will store the information in order to contact you with appropriate course information, events or news.

If you consent, we may send you information relating to other courses and events happening through the centre.

Learners

We use your information to create a learner record, and in the following ways:

- Assessments, teaching and learning
 - Creating timetables and registers to plan your learning and record attendance.
 - Providing a virtual learning environment, e-learning portfolio
 - To facilitate assessment, diagnostics, examinations.
 - Recordings may be taken of virtual assessment meetings to supplement face-to-face delivery. These may be saved and used throughout the year as a learning resource.
- Support services
 - To support learners with additional learning support needs, including assessment planning and recording activity.
 - To support student safeguarding activity.

- To maintain student records
- Make data returns to the Education and Skills Funding Agency (ESFA) for funding and monitoring purposes in line with our regulatory and legal obligations.
- Produce management information including monitoring of equal opportunities and disadvantage learner participation.
- Administering finance, taking fees giving refunds.
- Making payments to delivery partners under franchise arrangements.
- Using images in our publications and marketing materials with consent.
- Promoting our services, such as courses or events that may be of interest.
- To contact you in relation to your course or to complete surveys.

Tutors / Assessment Team

We will use your personal information as follows:

- For the recruitment process and for carrying our pre-engagement checks.
- For the safeguarding and welfare of both staff and learners, preventing and detecting criminal acts.
- For checking your identity and right to work in the UK.
- For checking your qualifications.
- To set up financial on our finance system.
- For communicating with you, including for marketing purposes.

Employers

We use contact information in our Customer Relationship Management and finance databases in order to:

- Carrying out day-to-day customer relationship activity.
- Promoting our services, such as courses or events that may be of interest.
- Contact you in relation to work undertaken for you or to complete surveys.
- Contact you to discuss employee progress on training programmes.
- Carry out finance and credit management tasks.

Learners and Applicants

The centre acts as a controller and a processor for learner data. Most of the data we hold on learners will be sent to and Awarding body and/or the Education and Skills Funding Agency (ESFA) acting on behalf of the Department for Education (DfE) in accordance with our legal duties, and our contractual obligations with the ESFA. The centre will also make use of this data to perform our primary public task, which is providing education and training.

We only process data for specified purposes and if it is justified in accordance with data-protection law. The table below lists the various purposes for which we process personal data and the corresponding justification for it. Some processing of your personal data is justified based on contractual necessity. In general, this applies to personal data you provide

to us to process your application and if enrolled, to monitor vocational performance. Without that information, we would be unable to provide you with your chosen course and related support services.

Purpose	Legal basis/justification
Provision of ESFA-funded courses and related services	Necessary as part of our public interest task to provide education and training (“public interest”).
Provision of other courses and related services	Necessary for performing a contract i.e. to provide your chosen vocational programme (“contractual necessity”).
Assessing eligibility to undertake our courses	Consent and/or: - processing is necessary for the purposes of taking steps prior to entering into a contract with us; or - public interest.
Assessment of vocational progress and performance (including attendance)	Public interest or contractual necessity.
Administration of complaints, grievances and appeals	Public interest or contractual necessity.
Making reasonable adjustments for disabilities and providing relevant support to students with ill health.	Explicit consent.
Criminal convictions	Public interest and substantial public interest.
Obtaining payment of fees (if applicable)	Contractual necessity and our legitimate interest in obtaining payment for the services we provide.
Communicating with learners	Public interest or contractual necessity and our legitimate interest in marketing the centre and promoting learner welfare.
Maintaining learner records, e.g. to make data returns to the ESFA.	Necessary for us to comply with our legal obligations.

Privacy Policy

Purpose	Legal basis/justification
Marketing	<p>Where you have previously applied to or undertaken a course with the centre or indicated to us in any other way that you give your permission, we may send you information about our courses on the basis of our legitimate interests in advertising the services of the centre. In doing so, we will offer you an opportunity to refuse marketing when your details are first collected and in subsequent communications to you.</p> <p>Any other marketing will only be carried out with your consent.</p>
Where required by law	When responding to requests by government or law enforcement authorities, or for the prevention of crime or fraud

Tutors / Assessment Team

We collect and use your personal information on the basis that it is necessary for performing our service level agreement with you, or it is necessary to take steps before entering into the agreement with you.

We will not keep your personal information for longer than we need it for the purposes we have explained above.

When you are a tutor or part of the assessment team, we will keep your personal information for as long as you work with us and then after you leave, we will keep your personal information for 7 years.

The table below lists the various purposes for which we process personal data and the corresponding justification for it. Some processing of your personal data is justified on the basis of contractual necessity. In general, this applies to personal data you provide to us at the commencement and throughout the duration of your employment with the centre to manage the relationship and to monitor performance.

Purpose	Legal basis/justification
To make a decision about engaging with you to work at the centre.	Necessary prior to entering a service level contract or contractually necessary.
To monitor equality, diversity and inclusion	Necessary in our legitimate interest to promote an inclusive work environment.
Where required by law	When responding to requests by government or law enforcement authorities, or for the prevention of crime or fraud

How we use particularly sensitive personal information of Tutors / Assessment Team

Purpose

We use information relating to your health to make decisions regarding reasonable adjustments.

We use information about your race or ethnicity, religious beliefs, sexual orientation and political opinions to conduct equal opportunities monitoring.

We use information about your criminal convictions where the law allows us to do so and if it is appropriate given the nature of the role to assess your suitability to carry out the work for which you are being engaged.

Where required by law

Legal basis/justification

Processing of health-related data is necessary so that we can meet our obligations in the field of employment law.

Processing is necessary in the public interest and so that we can meet our obligations in the field of employment law (public sector equality duty).

Processing is necessary in the public interest and substantial public interest.

When responding to requests by government or law enforcement authorities, or for the prevention of crime or fraud

Transferring data to third parties

Learners

The centre submits learner and enrolment data to a number of third parties:

- Awarding Organisations (who may contact you for quality assurance purposes).
- Education and Skills Funding Agency (ESFA) on a monthly basis.
- External verifiers.
- delivery partners under franchising arrangements.
- the Police for crime prevention or detection.
- End-Point Assessment Organisations for Apprentices.
- placement providers
- your employer if you are an apprentice

Tutors / Assessment Team

- To organisations requesting references.
- To external verifiers and awarding bodies for them to confirm your qualifications and CPD requirements

Retention of data

The centre will only retain your personal data for as long as necessary to fulfil the purposes for which we collected it (as described above).

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Usually, service level agreement related personal data will be kept for the duration of the period that your work for us and then for approximately three years after you leave. However, personal data held in connection with health and safety may be retained indefinitely in view of the potential for personal injury claims to be submitted against the centre at a later date.

Information relating to criminal convictions shall be retained for no longer than is necessary and for a maximum of six months following your provision of a criminal conviction certificate to the centre (if applicable).

Use of personal images

Images of specific individuals and groups are considered to be personal data and as such consent is required to use it. Generally, you will be asked to complete a written consent form, which will clearly explain how the images will be used and for how long. It may not always be practicable to obtain written consent, especially for larger group photos, or at live centre events, however the centre photographer will make it clear that your images will be stored and could be used online or for marketing purposes.

Images of large crowds or where an individual appears inadvertently in the background are unlikely to be considered as personal data.

You can withdraw consent for the centre to use your images at any time, this should be made in writing to the data protection officer. Once your consent is withdrawn, we will not use your images in any new material or publications, however it may not always be possible to recall publications or materials where your image has already appeared.

Education and Skills Funding Agency (ESFA) Privacy Notice

The ESFA is responsible for funding education and skills in England for children, young people and adults. It is also responsible for delivery of key services in the education and skills sector in England including the apprenticeship service, the provision of information, advice and guidance through the National Careers Service, and the Learning Records Service. We may use your personal information in our delivery of this work.

Further information about how the ESFA access to your personal data, details of organisations with whom the ESFA regularly share data, information about how long the ESFA retain your data, and how to change your consent to being contacted, please visit: www.gov.uk/government/publications/esfa-privacy-notice

Learning Records Service (LRS) Privacy Notice

The information you supply is used by the Learning Records Service (LRS). The LRS issues Unique Learner Numbers (ULN) and creates Personal Learning records across England, Wales and Northern Ireland, and is operated by the Education and Skills Funding Agency, an executive agency of the Department for Education (DfE). For more information about how your information is processed, and to access your Personal Learning Record, please refer to: www.gov.uk/government/publications/lrs-privacy-notice

You are in control of your information

Your rights under data protection law

As a data subject, you have the following rights in relation to your personal data processed by us:

- To gain access to your personal data.
- To rectify inaccuracies or where appropriate, given the purposes for which your data is processed, the right to have incomplete data completed.
- To have your personal data erased. This is a limited right which applies, among other circumstances, when the data is no longer required, consent has been withdrawn and/or the processing has no legal justification. There are also exceptions to this right, such as when the processing is required by law or in the public interest.
- To object to the processing of your personal data for marketing purposes.
- To object when the processing of your personal data is based on the public interest or other legitimate interests, unless we have compelling legitimate grounds to continue with the processing.
- To restrict the processing of your personal data. This is a limited right which will apply in specific circumstances and for a limited period.
- To obtain a copy of your data in a commonly used electronic form if the data is processed by automated means and the processing is based on your consent or contractual necessity.

Access your information (make a Subject Access Request)

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 of your information, please email paulrobson@ews-training.co.uk or write to:

Data Protection Officer
Unit 1b Little Caring Farm
Caring Lane
Leeds
Maidstone
Kent ME17 1TH
01622 737586

The centre will respond to your request as quickly as possible, no longer than 1 month.

Updating your records

It is important that your details are accurate and up to date. Please email info@ews-training.co.uk to make changes to your details.

Consent

Where we use your data on the basis of consent, for example to send you details of courses that you may be interested in, or to use your image on our website or marketing material we will always ask for clear affirmative consent. You can withdraw consent just as easily as it is given, by contacting the centre by email: info@ews-training.co.uk.

Freedom of Information

Freedom of Information requests can be made to the Data Protection Officer, email: info@ews-training.co.uk

Or write to:

Data Protection Officer
Unit 1b Little Caring Farm
Caring Lane
Leeds
Maidstone
Kent ME17 1TH
01622 737586

Complain

EWS Training aims for the highest standards when collecting and using your personal data. If you would like to complain to the centre, please contact EWS Training direct on 01622 737586 and request to speak with a Director.

Complain to the Information Commissioner (ICO)

If you believe that we have not complied with data protection law you can complain to the Information Commissioner: ico.org.uk

Data Protection Officer

To contact the Data Protection Officer for EWS Training email: paulrobson@ews-training.co.uk

Or write to:

Data Protection Officer
Unit 1b Little Caring Farm
Caring Lane
Leeds
Maidstone
Kent ME17 1TH
01622 737586