



Education & Skill
Funding Agency

GENERAL DATA PROTECTIONS REGULATIONS (GDPR) POLICY

Data Protection Officer: Marios Chrysostomou

ICO Registration Number: ZA126896

OUR COMMITMENT

Talented Training Ltd is committed to the protection of all personal and sensitive data for which it holds responsibility as the Data Controller and the handling of such data in line with the data protection principles and the Data Protection Act (DPA). <https://ico.org.uk/for-organisations/guide-to-data-protection/data-protection-principles/>

Changes to data protection legislation (GDPR May 2018) shall be monitored and implemented in order to remain compliant with all requirements.

The legal bases for processing data are as follows –

- a. **Consent:** the member of staff or learner has given clear consent for Talented Training Ltd to process their personal data for a specific purpose.
- b. **Contract:** the processing is necessary for the member of staff's employment contract or learner agreement.
- c. **Legal obligation:** the processing is necessary for Talented Training Ltd to comply with the law (not including contractual obligations)

The member of staff responsible for data protection is Marios Chrysostomou. However, all staff must treat learner information in a confidential manner and follow the guidelines as set out in this document.

Talented Training Ltd is also committed to ensuring that its staff are aware of data protection policies, legal requirements and adequate training is provided to them through our staff development programme.

The requirements of this policy are mandatory for all staff employed by Talented Training Ltd and any third party contracted to provide services within Talented Training Ltd.

NOTIFICATION

Our data processing activities will be registered with the Information Commissioner's Office (ICO) as required of a recognised Data Controller. Details are available from the ICO:

<https://ico.org.uk/about-the-ico/what-we-do/register-of-data-controllers/>

Changes to the type of data processing activities being undertaken shall be notified to the ICO and details amended in the register.

Breaches of personal or sensitive data shall be notified within 72 hours to the individual(s) concerned and the ICO.

PERSONAL AND SENSITIVE DATA

All data within Talented Training Ltd's control shall be identified as personal, sensitive or both to ensure that it is handled in compliance with legal requirements and access to it does not breach the rights of the individuals to whom it relates.

The definitions of personal and sensitive data shall be as those published by the ICO for guidance: <https://ico.org.uk/for-organisations/guide-to-data-protection/key-definitions/>

The principles of the Data Protection Act shall be applied to all data processed:

- ensure that data is fairly and lawfully processed
- process data only for limited purposes
- ensure that all data processed is adequate, relevant and not excessive
- ensure that data processed is accurate
- not keep data longer than is necessary
- process the data in accordance with the data subject's rights
- ensure that data is secure
- ensure that data is not transferred to other countries without adequate protection.

COMPLAINTS, CORRECTIONS OR OBJECTIONS

If you have any questions or concerns about information, we hold about you, or need to correct inaccurate information, please contact the Managing Director Marios Chrysostomou, who can be reached at:

Talented Training Ltd

5a King Street

Leeds

LS1 2HH

Tel 0113 3182597

Mob 07746 975988

marios@talentedtraining.co.uk

FAIR PROCESSING / PRIVACY NOTICE

We shall be transparent about the intended processing of data and communicate these intentions via notification to staff, parents and learners prior to the processing of individual's data.

Notifications shall be in accordance with ICO guidance and, where relevant, be written in a form understandable by those defined as 'Children' under the legislation.

<https://ico.org.uk/for-organisations/guide-to-data-protection/privacy-notices-transparency-and-control/>

There may be circumstances where Talented Training Ltd is required either by law or in the best interests of our learners or staff to pass information onto external authorities, for example local authorities, Ofsted, or the department of health. These authorities are up to date with data protection law and have their own policies relating to the protection of any data that they receive or collect.

The intention to share data relating to individuals to an organisation outside of Talented Training Ltd shall be clearly defined within notifications and details of the basis for sharing given. Data will be shared with external parties in circumstances where it is a legal requirement to provide such information.

Any proposed change to the processing of individual's data shall first be notified to them.

Under no circumstances will Talented Training Ltd disclose information or data:

- that would cause serious harm to the learner or anyone else's physical or mental health or condition
- indicating that the learner is or has been subject to abuse or may be at risk of it, where the disclosure would not be in the best interests of the learner
- recorded by the learner in an examination
- that would allow another person to be identified or identifies another person as the source, unless the person is an employee of Talented Training Ltd or a local authority or has given consent, or it is reasonable in the circumstances to disclose the information without consent. The exemption from disclosure does not apply if the information can be edited so that the person's name or identifying details are removed
- in the form of a reference given to another training provider or any other place of education and training, the learner's potential employer, or any national body concerned with learner admissions.

THE RIGHT TO BE INFORMED

The right to be informed is a key part of the strengthened legislation and we ensure that staff, learners and apprentices, parents, carers (data subjects) receive clear communications about:

- what information is being collected/processed about them
- why the data is collected (purpose)
- what the lawful basis for processing the data (where applicable)
- who/which organisations data is shared with and why (this could be categories of organisations)
- how the data is stored and how long for, and how security is ensured
- how to exercise their right of access to data
- how to exercise any other rights, such as restricting certain types of processing or rectifying data
- who to contact for queries or concerns.

There are a number of ways that Talented Training communicate this information, which include:

- When providing 'initial registration' information at enrolment or upon starting a programme of study.
- During the induction process, where understanding is checked by tutors through discussion, practical activities and review of policy documents (e.g., GDPR, Data Retention, Privacy policies)
- When providing additional information/data at various points during the year, such as initial assessment, Gateway, EPA preparation.
- Through effective use of the company's website.
- In the case of staff, at various points in the 'lifecycle' of an employee, such as applying for a role, accepting a role/signing a contract, annual appraisals, upon conclusion of a contract etc.

DATA SECURITY

In order to assure the protection of all data being processed and inform decisions on processing activities, we shall undertake an assessment of the associated risks of proposed processing and equally the impact on an individual's privacy in holding data related to them.

Risk and impact assessments shall be conducted in accordance with guidance given by the ICO:

<https://ico.org.uk/for-organisations/guide-to-data-protection/principle-7-security/> <https://ico.org.uk/for-organisations/guide-to-data-protection/principle-7-security/> <https://ico.org.uk/about-the-ico/news-and-events/news-and-blogs/2014/02/privacy-impact-assessments-code-published/>

Security of data shall be achieved through the implementation of proportionate physical and technical measures. Nominated staff shall be responsible for the effectiveness of the controls implemented and reporting of their performance.

The security arrangements of any organisation with which data is shared shall also be considered and where required these organisations shall provide evidence of the competence in the security of shared data.

DATA ACCESS REQUESTS (SUBJECT ACCESS REQUESTS)

All individuals whose data is held by us, has a legal right to request access to such data or information about what is held. We shall respond to such requests within one month and they should be made in writing to:

Marios Chrysostomos

Managing Director

Talented Training Ltd

5a King Street

Leeds

LS1 2HH

Tel 0113 3182597

Mob 07746 975988

marios@talentedtraining.co.uk

No charge will be applied to process the request.

Personal data about learners will not be disclosed to third parties without the consent of the learner, parent or carer, unless it is obliged by law or in the best interest of the individual. Data may be disclosed to the following third parties without consent:

- **Other organisations**

If a learner transfers from Talented Training Ltd to another organisation, their academic records and other data that relates to their health and welfare will be forwarded onto the new training provider. This will support a smooth transition from one organisation to the next and ensure that the learner is provided for as is necessary. It will aid continuation which should ensure that there is minimal impact on the learner's academic progress as a result of the move.

- **Examination authorities**

This may be for registration purposes, to allow the learners at Talented Training Ltd to sit examinations set by external exam bodies.

- **Health authorities**

As obliged under health legislation, Talented Training Ltd may pass on information regarding the health of learners at Talented Training Ltd to monitor and avoid the spread of contagious diseases in the interest of public health.

- **Police and courts**

If a situation arises where a criminal investigation is being carried out, we may have to forward information on to the police to aid their investigation. We will pass information onto courts as and when it is ordered.

- **Social workers and support agencies**

In order to protect or maintain the welfare of our learners, and in cases of abuse, it may be necessary to pass personal data on to social workers or support agencies.

- **Educational division**

Talented Training Ltd may be required to pass data on in order to help the government to monitor the national educational system and enforce laws relating to education.

- **Right to be Forgotten**

Where any personal data is no longer required for its original purpose, an individual can demand that the processing is stopped, and all their personal data is erased by Talented Training Ltd including any data held by contracted processors.

PHOTOGRAPHS AND VIDEO

Images of staff and learners may be captured at appropriate times and as part of educational activities for use by Talented Training Ltd only.

Unless prior consent from learners or staff has been given, Talented Training Ltd shall not utilise such images for publication or communication to external sources.

It is Talented Training Ltd' policy that external parties (including parents) may not capture images of staff or learners during such activities without prior consent.

LOCATION OF INFORMATION AND DATA

Hard copy data, records, and personal information are stored out of sight and in a locked file or cupboard.

Sensitive or personal information and data should not be removed from the Talented Training Ltd site; however Talented Training Ltd acknowledges that some staff may need to transport data between Talented Training Ltd and their home in order to access it for work in the evenings and at weekends. This may also apply in cases where staff have offsite meetings or are on Talented Training Ltd visits with learners.

The following guidelines are in place for staff in order to reduce the risk of personal data being compromised:

- Paper copies of data or personal information should not be taken off the Talented Training Ltd site. If these are misplaced, they are easily accessed. If there is no way to avoid taking a paper copy of data off the Talented Training Ltd site, the information should not be on view in public places or left unattended under any circumstances.
- Unwanted paper copies of data, sensitive information or learner files should be shredded. This also applies to handwritten notes if the notes reference any staff member or learner by name.
- Care must be taken to ensure that printouts of any personal or sensitive information are not left

in printer trays or photocopiers.

- If information is being viewed on a PC, staff must ensure that the window and documents are properly shut down before leaving the computer unattended. Sensitive information should not be viewed on public computers.
- If it is necessary to transport data away from Talented Training Ltd, it should be downloaded onto a USB stick. The data should not be transferred from this stick onto any home or public computers. Work should be edited from the USB and saved onto the USB only.
- USB sticks that staff use must be password protected.

These guidelines are clearly communicated to all Talented Training Ltd staff, and any person who is found to be intentionally breaching this conduct will be disciplined in line with the seriousness of their misconduct.

DISASTER RECOVERY

1. Talented Training Ltd has been awarded Cyber Essentials certification and backs up data every day, with multiple copies (at least one set for each day of the week and additional weekly ones in order to have at least a month's worth of data at any one time). Records of these are kept.
2. Backups are kept on site are in special heat-proof safes: fire-proofing alone is inadequate.
3. Backups are verified regularly by the software and system supplier.
4. Firewalls and virus checkers are kept up to date and running, and users are trained in virus avoidance and detection.
5. Computers are protected from physical harm, theft or damage, and from electrical surges using protective plugs.
6. Talented Training Ltd plans for how to deal with loss of electricity, external data links, server failure, and network problems. It uses paper forms where necessary for temporary record keeping.

RETENTION POLICY

- We retain personal data that you supply for as long as we are legally required to do so (e.g., by tax and accounting regulations).
- Where data may exist on back-ups, these are regularly changed and expired files (etc.) are securely disposed of when backup media is expired or replaced.
- The ESF document retention date is 31 December 2030; prior to any ESF project documentation being destroyed, a check will be made of the GOV.UK website and/or with the Managing Authority to ensure it is safe to do so.
- General enquiries via web-form, email or post:
 - These are generally kept for a number of years so that we can refer back to them if you send a follow up to our reply, after that they are deleted. At scheduled times throughout the year enquiries over the specified number of years old are removed.
The number of years will depend on the type of enquiry and how it was submitted:
 - Any correspondence that may potentially relate to a financial transaction, currently active registration or client account, is treated the same as as tax records (*tax records are legally required to be stored for a minimum of 6 years*) and deleted after 7 years.

- All other correspondence is deleted after 2 years.

DATA DISPOSAL

Talented Training Ltd recognises that the secure disposal of redundant data is an integral element to compliance with legal requirements and an area of increased risk.

All data held in any form of media (paper, tape, electronic) shall only be passed to a disposal partner with demonstrable competence in providing secure disposal services.

All data shall be destroyed or eradicated to agreed levels meeting recognised national standards, with confirmation at completion of the disposal process.

Disposal of IT assets holding data shall be in compliance with ICO guidance:

https://ico.org.uk/media/for-organisations/documents/1570/it_asset_disposal_for_organisations.pdf

Talented Training Ltd has identified a qualified source for disposal of IT assets and collections.

REVIEW

This policy will be reviewed on an annual basis or following changes to ESFA or Government updates, as well as statutory guidance in relation to Covid-19 and company risk assessment policies and processes.

Managing Director's Signature



Marios Chrysostomou

Date: 01/01/2022

APPENDIX A**Subject Access Request Form****Section 1 – Applicant Details**

Title (please tick one):	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/>	Title (please state):
Forename(s):		
Family Name:		
Previous Family Name:		
Other name(s) known by:		
Date of Birth (dd/mm/yyyy):/...../.....	Male <input type="checkbox"/> or Female <input type="checkbox"/>
Nationality:		
Place of Birth:		

Section 2 – Applicant Details

Current Address:	
Postcode	
Daytime Telephone No:	
Email Address:	
Previous Address:	
Postcode:	

Section 3 – Proof of the applicant's identity

In order to prove the applicant's identity, we need to see copies of two pieces of identification, one from list A and one from list B below. Please indicate which ones you are supplying.

Please DO NOT send an original passport, driving licence or identity card

List A (photocopy of one from below)

List B (plus one original from below) *

Full birth certificate	<input type="checkbox"/>	Utility bill showing current home address	<input type="checkbox"/>
Passport/Travel Document	<input type="checkbox"/>	Bank statement or Building Society Book	<input type="checkbox"/>
Photo driving licence	<input type="checkbox"/>		
Foreign National Identity Card	<input type="checkbox"/>		
Child under 16 : Full birth certificate	<input type="checkbox"/>		
Child under 16 : Court Order(s)	<input type="checkbox"/>		

For a child under 16 years of age please provide photocopies of all Court Orders. Please state if there are none

* Any original documents you send to us will be returned by first class post.

Section 4 – Details of Information Required

Please use this space to give us any details about the information you are requesting, for example by stating specific documents you require (use extra sheets if necessary):

Section 5 – Declaration

The information which I have supplied in this application is correct, and I am the person to whom it relates or a representative acting on his/her behalf. I understand that Talented Training Ltd may need to obtain further information from me/my representative in order to comply with this request.

Signature of Applicant:	Date:
-------------------------	-------