

## **PRIVACY NOTICE AND POLICY - WEBSITE AND ONLINE SERVICES**

### **BACKGROUND**

TRN (Train) Ltd. understands that the personal data that you share with us and your privacy is important to you. We genuinely do care about the privacy of all our learners, customers, employees, subscribers to our newsletters and website visitors and will only collect and use personal data in ways that are described in this privacy notice, and in a way that is consistent with our legal obligations and your rights under the law. This privacy notice explains who we are, what personal data is collected from you, how we use, hold and process your personal data and who we might share your data with. It also explains your rights under the law relating to your personal data.

### **WHO WE ARE?**

TRN (Train) Ltd is a private independent training provider based in Gateshead, Tyne and Wear, delivering a wide range of short courses, accredited qualifications, apprenticeships and traineeship programmes.

Our head office address is: TRN (Train) Ltd, Endeavour House, Colmet Court, Queensway South, Team Valley Trading Estate, Gateshead, Tyne and Wear, NE11 0EF. Our main telephone number is: 0191 477 0840.

Our data protection representative and Data Protection Officer Contact details are:

Mark Hewitt

0191 477 0840

gdpr@trainltd.org

### **WHAT IS PERSONAL DATA?**

Personal data is defined by the General Data Protection Regulation (GDPR) as 'any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier'. Personal data is, in simpler terms, any information about you that enables you to be identified, for example, your name, address and contact details.

### **WHAT PERSONAL DATA DO WE COLLECT?**

We may collect some or all of the following data:

- Information about your computer/device and about your visits to and use of our website including your IP address, geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths
- Information and details you provide to us when completing one of our contact forms on our website
- Information that you provide when subscribing to our company newsletters
- Information that you provide when using the online web services provided by TRN (Train) Ltd, or statistics generated during the use of those services

- Information relating to any purchases or transactions that you enter into through our website
- Information contained in or relating to any communications that you send directly to TRN (Train) Ltd or send through our website or online services.
- Any other personal information that you choose to send us via our website and/or online services.

Before you disclose to us the personal information of another person, you must obtain that person's consent to both the disclosure and the use of that information in accordance with this policy.

### **HOW DO WE USE YOUR PERSONAL DATA?**

Your personal data will be used for purposes relating to you accessing our website and online services, in which we may use your personal data to:

- Administer our website, online services and business
- Personalise our website and services to you
- Grant you access levels to specific services available online, i.e. our e-learning platforms
- Supply you with goods, materials and services
- Send you non-marketing commercial communications
- Send you the TRN (Train) Ltd. newsletter by email, if you have requested it. **You must positively opt in for this and can unsubscribe from this service at any time**
- Send you marketing communications relating to our business, where you have specifically agreed to this, by email or similar technology. **You must positively opt in for this and can unsubscribe from this service at any time**
- Provide third parties with statistical information about our users, the information supplied to third parties will not be able to identify any individual user
- Deal with enquiries and complaints made by or about you relating to our website or online services
- Keep our website and services secure and prevent fraud
- Verify compliance with the terms and conditions governing the use of our website and services, including monitoring private messages, comments and forum posts sent through our online services.

We will not, without your express consent, supply your personal information to any third party for the purpose of their or any other third parties direct marketing.

### **WHO MIGHT WE SHARE YOUR DATA WITH?**

We may disclose your personal information to our employees, professional advisers, suppliers or subcontractors insofar as reasonably necessary for the purposes set out in this policy.

We may share your personal data:

- To the extent that we are required to do so by law
- In connection with any ongoing or prospective legal proceedings
- In order to establish, exercise or defend our legal rights, including providing information to others for the purposes of fraud prevention and reducing credit risk
- To any person who we reasonably believe may apply to a court or other competent authority for disclosure of that personal information where, in our reasonable opinion, such

court or authority would be reasonably likely to order disclosure of that personal information.

- To enrol you onto one of our online/e-learning platforms, if you have contacted us to enrol onto one of our online/e-learning courses.

We will not provide your personal information to third parties except as outlined within this policy.

## **LAWFUL BASIS FOR PROCESSING PERSONAL DATA**

Our lawful basis for processing your personal data as set out in Article 6 of the GDPR is:

- For the use of cookies on our website, the lawful basis is consent.
- Personal data supplied by individuals within one of our website contact forms, the lawful basis is legitimate interest and consent.
- Administer our website, online services and business, the lawful basis is legitimate interest and contract.
- Personalise our website and services to you, the lawful basis is consent.
- Grant you access levels to specific services available online, i.e. our e-learning platforms, the lawful basis is legitimate interest and contract.
- Supply you with goods, materials and services, the lawful basis is legitimate interest and contract.
- Send you non-marketing commercial communications, the lawful basis is consent.
- Send you the TRN (Train) Ltd. newsletter by email, the lawful basis is consent.
- Send you marketing communications relating to our business, the lawful basis is consent.
- Provide third parties with statistical information about our users, the information supplied to third parties will not be able to identify any individual user, the lawful basis is consent.
- Deal with enquiries and complaints made by or about you relating to our website or online services, the lawful basis is legitimate interest.
- Keep our website and services secure and prevent fraud, the lawful basis is legitimate interest and legal obligation.
- Verify compliance with the terms and conditions governing the use of our website and services, including monitoring private messages, comments and forum posts sent through our online services, the lawful basis is legitimate interest and legal obligation.

We will only use your personal data for the purpose it was obtained as stated within this Notice. Should we need to process your personal data for any other purpose, we will only do this with your explicit consent.

## **TRANSFER OF YOUR PERSONAL DATA OUTSIDE THE EUROPEAN UNION, TO THIRD COUNTRIES OR INTERNATIONAL ORGANISATIONS**

We do not transfer your personal data outside the European Union, to third countries or international organisations.

## **HOW LONG WILL WE KEEP YOUR PERSONAL DATA?**

We won't keep your personal data for any longer than is necessary in respect of the reason(s) for which it was first collected. Your personal data could be kept for a number of years to meet any legal, statutory and regulatory obligations.

Data is only held for as long as required in compliance with any legal, statutory, regulatory or funding contractual obligations for retention.

## SECURITY OF YOUR PERSONAL DATA

- We will take reasonable technical and organisational precautions to prevent the loss, misuse or alteration of your personal data.
- We will store all the personal data you provide on secure password protected servers.
- You are responsible for keeping the password you use for accessing our online services confidential.

## THIRD PARTY WEBSITES

Our website includes hyperlinks to, and details of, third party websites. We have no control over, and are not responsible for, the privacy policies and practices of third parties.

## THE USE OF COOKIES

The TRN (Train) Ltd. website and online services use cookies.

A cookie is a small file, typically of letters and numbers, downloaded on to your device/computer when you access our website. Cookies allow our website to recognise your device so we can distinguish between the different users that access our website.

For more information on cookies, please refer to our cookie policy on our website.

## YOUR RIGHTS

Under the GDPR, you have various rights with respect to our use of your personal data:

**Right to Access** - you have the right to request a copy of the personal data that we hold about you. This is referred to as making a 'Subject Access Request'.

**Right to rectification** - you have the right to correct personal data that we hold about you that is inaccurate or incomplete. Please let us know if any of your personal data is not accurate or changes, so that we can keep your personal data up-to-date.

**Right to erasure** - you have the right under certain circumstances to ask for your personal data that we hold to be erased from our records.

**Right to restrict processing** - In certain circumstances, you have the right to request that we restrict the further processing of your personal data.

**Right to data portability** - You have the right to have the personal data that we hold about you transferred to another organisation.

**Right to object** - you have the right to object to certain types of processing of your personal data. Rights to not be subject to decisions based solely on automated processing including profiling - we do not carry out any automated processing leading to an automated decision based on your personal data.

Please note that the GDPR sets out exceptions to these rights. If we are unable to comply with your request due to an exception we will explain this to you in our response.

### **WHO CAN I CONTACT IF I HAVE ANY QUESTIONS OR CONCERNS?**

If you have any questions or queries which are not answered by this Privacy Notice, or have any potential concerns about how we may use the personal data we hold, please write to the Data Protection Officer at TRN (Train) Ltd, Endeavour House, Colmet Court, Queensway South, Team Valley Trading Estate, Gateshead, Tyne and Wear, NE11 0EF or email [gdpr@trainltd.org](mailto:gdpr@trainltd.org).

If your complaint is not resolved to your satisfaction and you wish to make a formal complaint to the Information Commissioner's Office (ICO), you can contact their helpline on 0303 123 1113 or report a concern online at <https://ico.org.uk/concerns/>

You also have the right to judicial remedy against a legally binding decision of the ICO where you consider that your rights under this regulation have been infringed as a result of the processing of your personal data. You have the right to appoint a third party to lodge the complaint on your behalf and exercise your right to seek compensation.

### **PRIVACY NOTICE CHANGES**

This Privacy Notice is regularly reviewed to ensure that we continue to protect your personal data and privacy. We reserve the right at all times, to update, modify or amend this Notice. Any changes that we make will not significantly change how we use personal data that you have already given to us without your prior agreement.

The latest version of this Notice can be found on our website [www.trainltd.org](http://www.trainltd.org)