

PRIVACY NOTICE - LEARNERS

1. 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.

2. 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

3. 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.

4. WHAT PERSONAL DATA DO WE COLLECT?

We may collect some or all of the following data:

Title, forename, surname, previous surnames, address, date of birth, age, NI number, time at address, employer name, employer address, telephone number, mobile number, email address, learning disabilities, learning difficulties, prior qualifications, no. of contractual hours worked, employment status, emergency contact details, initial assessment scores for English and maths, length of employment, residency status, job role, ethnicity, gender, shoe size, health problems, disabilities/health problems, religion/belief, sexual orientation, previous experience, skills and knowledge and career aim / ambitions.

Learners whom are currently unemployed, in addition to the above we also collect the following data: benefit type, job centre office, personal advisor name and contact number, no. of month's unemployed and household information.

Financial information - bank details.

5. HOW DO WE USE YOUR PERSONAL DATA?

Your personal data will primarily be used for purposes relating to you enrolling and studying towards one of our courses/learning programmes. We also collect your personal data for the following purposes:

- Processing applications, enrolments and individual learning plans
- Maintaining learner records
- Registration, examinations, achievement and certification
- E-portfolio and paper-based portfolios for qualifications studied
- Funding claims
- Safeguarding
- Health and Safety
- Equality and Diversity monitoring
- Learner support
- Sharing information, news, and offers about our services.
- To contact individuals in response to a specific enquiry
- To improve the services offered and delivered to individuals
- Sharing your contact details with the Office for Standards in Education, Children's Services and Skills (Ofsted) and Awarding Organisations including External Quality Assurers for the purpose of interviewing / feedback in relation to our teaching, learning and assessment delivery to you.
- To contact individuals after they leave their course/learning programme to gather information about their destination
- Provision of information, advice and guidance to learners and clients
- Processing of personal data also includes the use of CCTV in order to monitor and maintain the security of the premises and for the prevention or detection of crime.

6. WHO MIGHT WE SHARE YOUR DATA WITH?

There are occasions when it is necessary for TRN (Train) Ltd. to share your personal data with other organisations or people. Where consent is required we will ask you for this, except where exemptions apply. We do not need your consent to share your personal data with the below list of organisations, because we lawfully have either a legitimate interest, contractual obligation or legal obligation to do so, where required.

- Job Centre Plus
- Learner referral partners
- Department for Education
- Education and Skills Funding Agency
- Office for Standards in Education, Children's Services and Skills (Ofsted)
- The Learner Registration Service
- The Student Loans Company
- Awarding Organisations and End-point assessment organisations
- Employers
- Local authorities
- Police
- HMRC
- UK Border Control
- Other educational bodies or institutions
- Connexions
- Organisations conducting external funding audits
- Prevent teams

- Disclosure and Barring Service
- Apprenticeship Certification England (ACE)
- Construction Skills Certification Scheme

7. 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 processing enquiries, application forms and enrolments, the lawful basis is a legitimate interest
- For SMS text reminders sent to individuals to attend induction days and SMS text reminders sent to individuals to confirm course commencement, the lawful basis is a legitimate interest
- For updating learner referral partners on learner attendance at induction, whilst on course/learning programme and upon exit of their course/learning programme, the lawful basis is a legitimate interest
- For sharing your contact details with the Office for Standards in Education, Children's Services and Skills (Ofsted) and Awarding Organisations including External Quality Assurers for the purpose of interviewing / feedback in relation to our teaching, learning and assessment delivery, our lawful basis is a legitimate interest and contract.
- For accessing individual personal learner records (PLR's), maintaining learner records, processing CSCS waiver forms, individual learning plans and information relating to an individual's course/learning programme, the lawful basis is legitimate interest and contract.
- For obtaining learners financial bank details for reimbursement of travel expenses and/or weekly attendance allowance, the lawful basis is legitimate interest and contract.
- For gathering information about the destination of an individual once they have left their course/learning programme, the lawful basis is legitimate interest and contract.

As set out in Article 9(1)(a), processing "special categories" of data where you have given consent, TRN (Train) Ltd., will process certain sensitive information about you with your consent.

8. 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.

9. 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. Data is archived as per our document retention policy

and deleted/destroyed upon expiry of the relevant document retention requirements contained within our funding contract(s).

Data is retained for a period of 6 years from the end of the financial year in which we received the last funding payment for your programme. Where funding programmes have been matched funded by the European Social Fund, data is retained for a longer period as detailed below:

- ESF Social Fund 2014-2020 programme - 31/12/2030

10. 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.

11. 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.

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.

12. 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.