

## **PRIVACY NOTICE - Employers**

### **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:

Company group name, employer name, employer address and postcode, employer main telephone number, email address, contact name, job title, company position, contact telephone number, no. of employees, information to ascertain if your company is a subsidiary, a connected company or part of a Group (if applicable), total number of Group employees (if applicable), apprenticeship levy payer status, employee details including: first name, surname, email address, telephone, title of apprenticeship programme or learning aim, job role, contracted hours and night-shift worker confirmation.

Health and Safety information - including but not limited to: employer insurance; risk assessments; health and safety policy/statement; enforcement authority notification; accident reporting, first aid, fire/emergency arrangements; signage and notices; safeguarding and supervision.

Financial information - bank details for invoicing purposes.

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

Your personal data will only be used for purposes to enable us to deliver courses/learning programmes to you and/or your employees, and other services which meet your specific needs.

We only use your personal data to provide the service that you have requested and for legitimate purposes in relation to our services offered/delivered to you.

We also collect your personal data for the following purposes:

- Carry-out organisational needs analysis, processing course booking forms, expressions of interest, applications and enrolments
- Delivery of training courses including face to face, e-learning and online, and accredited learning programmes to you and your employees
- Advertising apprenticeship vacancies on the 'Recruit an Apprentice' website
- Funding claims
- Invoicing purposes
- Safeguarding
- Health and Safety
- Equality and Diversity monitoring
- Sharing information, news, and offers about our services
- To contact companies in response to a specific enquiry
- To improve the services offered and delivered to companies
- To contact companies after delivery of a course and/or learning programme to evaluate effectiveness of training delivery
- Provision of information, advice and guidance to employers

## **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)
- Psittacus Systems for e-learning
- The Skills Network for e-learning
- Freelance self-employed trainers approved by TRN (Train) Ltd.
- Awarding Organisations and End-point assessment organisations
- Local authorities
- Police or other Law enforcement or investigatory institutions
- HMRC
- UK Border Control
- Other educational bodies or institutions
- Connexions
- Organisations conducting external funding audits
- Disclosure and Barring Service

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

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

- To carry-out an organisational needs analysis, processing course booking forms, expressions of interest, application forms and enrolments, the lawful basis is a legitimate interest
- To deliver training courses including face to face, e-learning and online, and accredited learning programmes to you and your employees, the lawful basis is contract
- To advertise apprenticeship vacancies on the 'recruit and Apprentice' website, the lawful basis is a legitimate interest and contract.
- For processing funding claims and personal information in relation to delivery of a course/learning programme, the lawful basis is legitimate interest and contract.
- To monitor safeguarding, health and safety and equality and diversity, the lawful basis is contract and legal obligation.
- For obtaining employers financial bank details for invoicing purposes, the lawful basis is a legal obligation and contract.
- To contact you in response to a specific enquiry, the lawful basis is legitimate interest.
- To share information, news and offers about our services, the lawful basis is legitimate interest and consent.
- To improve services offered and delivered to you, evaluate our training delivery, and provide information, advice and guidance to you, the lawful basis is legitimate interest.

## **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. 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

## 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)