Privacy Notice – Learner Personal Data

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Introduction

CVQO Ltd, operating as Cadet Vocational College ("CV College"), is committed to data security and the fair and transparent processing of personal data. This privacy notice sets out how CV College treats learner personal data.

Please read this Policy carefully as it contains important information on who we are, how and why we collect, store, use and share your personal data, your rights in relation to your personal data, how to contact us and how to contact supervisory authorities in the event that you would like to report a concern about the way in which we process your personal data.

Who are we?

CV College is an educational charity whose purpose is to advance the education and training of youth and adult members of youth movements and schools to enable them to obtain vocational qualifications.

For the purposes of the General Data Protection Regulation (GDPR) CV College is a 'controller' of learner personal data.

CVQO Ltd is a private company limited by guarantee incorporated in England and Wales (registration number 05736932).

CVQO Ltd is a charity registered in England and Wales (registration number 1115234) and Scotland (registration number SCO 39261).

CVQO Ltd's registered address is 3 Archipelago, Lyon Way, Camberley, Surrey, GU16 7ER.

What personal data do we collect?

We collect your name, address, gender, date of birth, email address and telephone number(s). We will also collect other personal data related to your studies, experience and qualifications to evidence your progress on the course(s) on which you are enrolled and for our quality assurance processes, investigations, complaints and appeals. This may include images and video of you performing tasks relating to the course(s). This personal data is provided to us by you, the Cadet Forces and government and industry bodies.

We may also collect from you sensitive personal data, such as information about your health, learning disabilities and ethnicity.

How do we use your personal data?

We may use your personal data where this is necessary to pursue our legitimate interests as a provider of vocational qualifications, including to:

- support and evaluate your progress on the qualification(s) on which you are enrolled;
- undertake administration in relation to the qualification(s) on which you are enrolled;
- provide you with a certificate, credential or other record of learning;
- contact you directly in relation to our quality assurance processes, investigations, appeals, and complaints;
- assess and provide reasonable adjustments in relation to your learning or assessment where requested, including with regard to any learning difficulty or disability that you have disclosed to us; and,
- contact you in relation to CV College qualifications, courses, news, awards, events, surveys, offers and promotions that may be of interest to you.

We may also use any sensitive personal data, such as information about your health, learning disabilities and ethnicity that you have disclosed to us for statistical purposes.

We may use your personal data, including images and video of you, in our promotional activities where you have given your consent for us to do so.

We may also process your personal data if required by law, including to respond to requests by government or law enforcement authorities or for the prevention of crime or fraud.

Who do we share your personal data with?

We may share your personal data with relevant third parties, where necessary, in relation to your learning, assessment, or certification, including:

- relevant funding bodies, including the Education and Skills Funding Agency (see further details below), the Welsh Government and the Ministry of Defence;
- regulatory authorities, awarding bodies, and similar industry bodies;
- assessors, mentors, markers, your youth organisation or school and others involved in supporting your studies and in the evaluation and quality control of our qualifications;
- service providers contracted to us in connection with provision of the products and services such as providers of IT services and customer relationship management services; and,
- if you are under 18, with your parents or guardians.

We may share sensitive personal data relating to any learning difficulty or disability that you disclose to us with assessors and awarding bodies for the purposes of making reasonable adjustment when evaluating your performance on the qualification(s) for which you are enrolled. We may also share any sensitive personal data, such as information about your health, learning disabilities and ethnicity that you have disclosed to us with Government bodies for statistical purposes.

We may also share your personal data with third party providers including:

- legal and other professional advisers, consultants, and professional experts;
- service providers contracted to us in connection with provision of learning, assessment and training products and services such as markers, moderators, assessors, certification providers and IT services; and,
- analytics and search engine providers that assist us in the improvement and optimisation of our website.

We will ensure there is a contract in place with such third parties which include obligations in relation to the confidentiality, security and lawful processing of any personal data shared with them.

Where a third-party recipient is located outside the European Economic Area, we will ensure that the transfer of personal data is protected by appropriate safeguards, including the use of model data protection clauses adopted or approved by the Information Commissioners Office (ICO).

We take all reasonable steps to ensure that our staff protect your personal data and are aware of their information security obligations. We limit access to your personal data to those who have a genuine business need to know it.

We may also share personal data with law enforcement or other authorities if required by applicable law.

Data shared with the Department for Education

CV College is a charity and a large proportion of the qualifications we provide are funded by the DfE and the following privacy notice issued by the DfE applies to these qualifications:

DfE Privacy Notice: How We Use Your Personal Information

This privacy notice is issued by the DfE on behalf of the Secretary of State for the Department of Education (DfE) to inform learners about the Individualised Learner Record (ILR) and how their personal information is used in the ILR. Your personal information is used by the DfE to exercise our functions under article 6(1)(e) of the UK GDPR and to meet our statutory responsibilities, including under the Apprenticeships, Skills, Children and Learning Act 2009.

The ILR collects data about learners and learning undertaken. Publicly funded colleges, training organisations, local authorities, and employers (FE providers) must collect and return the data to the DfE ach year under the terms of a funding agreement, contract or grant agreement. It helps ensure that public money distributed through the DfE is being spent in line with government targets. It is also used for education, training, employment, and well-being purposes, including research. We retain ILR learner data for 3 years for operational purposes and 66 years for research purposes. For more information about the ILR and the data collected, please see the ILR specification at https://www.gov.uk/government/collections/individualised-learner-record-ilr https://www.gov.uk/government/collections/individualised-learner-record-ilr

ILR data is shared with third parties where it complies with DfE data sharing procedures and where the law allows it. The DfE and the English European Social Fund (ESF) Managing Authority (or agents acting on their behalf) may contact learners to carry out research and evaluation to inform the effectiveness of training.

For more information about how your personal data is used and your individual rights, please see the DfE Personal Information Charter (https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter) and https://www.gov.uk/government/publications/privacy-information-key-stage-4-and-5-and-adult-education

If you would like to get in touch with us or request a copy of the personal information DfE holds about you, you can contact the DfE in the following ways:

- Using our online contact form https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter
- By telephoning the DfE Helpline on 0370 000 2288
- Or in writing to – Data Protection Officer, Ministerial and Public Communications Division, Department for Education, Piccadilly Gate, Store Street, Manchester, M1 2WD

If you are unhappy with how we have used your personal data, you can complain to the Information Commissioner's Office (ICO) at:
Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. You can also call their helpline on 0303 123 1113 or visit https://www.ico.org.uk

How long will we keep your personal data?

We will retain personal data relating to your learning, assessment and certification, our quality assurance processes, appeals or investigations for a period of 6 years to ensure we are able to comply with any contractual, legal, audit and other regulatory requirements or any orders from competent courts or authorities.

Where do we store your personal data and how is it protected?

CV College stores data held in hard copy at its head office and that held digitally in a UK data centre within a secure and continually monitored facility. Some personal data is also held by CV College field staff, where this is necessary for them to perform their duties in respect of current and potential learners. We take reasonable steps to protect your personal data from loss or destruction, including training all of our staff on CV College data protection policies and practices. We also have procedures in place to deal with any suspected data security breach. We will notify you and the Information Commissioners Office (ICO) of a suspected data security breach where we are legally required to do so.

Your rights

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

Right to be Informed

You have the right to be informed about the collection and use of your personal data. This is a key transparency requirement under the GDPR. CV College will provide you with information including: our purposes for processing your personal data, our retention periods for that personal data and who it will be shared with. We will do this through our Privacy Policies and Notices.

Right to Access

You have the right to request a copy of the personal data that we hold about you by contacting us using the contact details provided below. Please include with your request information that will enable us to verify your identity. We will respond within 1 month of the request. Please note that there are exceptions to this right. We may be unable to make all information available to you if, for example, making the information available to you would reveal personal data about another person, if we are legally prevented from disclosing such information, or if there is no basis for your request, or if it is excessive.

Right to Rectification

We aim to keep your personal data accurate and complete. We encourage you to contact us using the contact details provided below to 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 to request the deletion of your personal data where, for example, the personal data are no longer necessary for the purposes for which they were collected, where you withdraw your consent to processing, where there is no overriding legitimate interest for us to continue to process your personal data, or your personal data has been unlawfully processed. If you would like to request that your personal data is erased, please contact us using the contact details provided below.

Right to Object

In certain circumstances, you have the right to object to the processing of your personal data where, for example, your personal data is being processed on the basis of legitimate interests and there is no overriding legitimate interest for us to continue to process your personal data or if your data is being processed for direct marketing purposes. If you would like to object to the processing of your personal data, please contact us using the contact details provided below.

Right to Restrict Processing

In certain circumstances, you have the right to request that we restrict the further processing of your personal data. This right arises where, for example, you have queried the accuracy of the personal data we hold about you and we are verifying the information, you have objected to processing based on legitimate interests and we are considering whether there are any overriding legitimate interests or the processing is unlawful and you elect that processing is restricted rather than deleted. If you wish to exercise this right please contact us using the contact details provided below.

Right to Data Portability

In certain circumstances, you have the right to request that some of your personal data is provided to you, or to another data controller, in a commonly used, machine-readable format. This right arises where you have provided your personal data to us, the processing is based on consent or the performance of a contract, and processing is carried out by automated means. If you would like to make such request, please contact us using the contact details provided below.

Rights in Relation to Automated Decision Making and Profiling

CV College does not engage in automated individual decision-making (making a decision solely by automated means without any human involvement) or profiling (automated processing of personal data to evaluate certain things about an individual). If we did undertake such processing, individuals would have the rights to have information about the processing and to request human intervention or challenge decisions and we would have to carry out regular checks to make sure that our systems were working as intended.

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

Contact

If you have any queries about this Policy, the way in which CV College processes personal data or would like to exercise any of your rights, set out above, please contact our Data Protection Officer:

- through our website www.cvcollege.org by clicking here and completing a request;
- by sending an email to dpo@cvcollege.org; or,
- by writing to the Data Protection Officer, CV College, 3 Archipelago, Lyon Way, Camberley, Surrey, GU16 7ER.

Complaints

If you believe that your data protection rights may have been breached and we have been unable to resolve your concern, you may lodge a complaint with the applicable supervisory authority or seek a remedy through the courts.

Please visit https://ico.org.uk/concerns/ for more information on how to report a concern to the UK Information Commissioner's Office.

Changes to our Policies

Any changes we may make to our Policy in the future will be posted on this page and where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to our Policy.