

# Privacy Notice for Individuals Working at a Client Employer

At Apprenticeship Connect we take data protection very seriously and are committed to protecting the privacy of our learners, client employers, employees, and users of our website through our Data Protection Policy. The purpose of this privacy notice is to describe the types of personal data that we hold, the purpose for which it is held, and the rights of our data subjects.

We are registered with the Information Commissioner's Office (ICO) as a data controller and we regularly review and update our records and processes to ensure that we comply with the requirements placed on us by the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

We ensure, as far as is reasonably possible, that the personal data we hold is secure and not accessible to unauthorised personnel or third parties.

## Definitions

- **Data subject:** A natural (real) person whose personal data is processed by a controller or processor
- **Personal data:** any information relating to a data subject (i.e., name, contact details, IP address)
- **Processing:** refers to anything that is done to, or with, personal data (i.e., collecting, storing, organizing, transferring data)
- **Data controller:** determines the purposes and means of processing personal data
- **Data processor:** processes personal data on behalf of a data controller

## What personal data do we collect?

From the point at which we first make contact with a prospective learner, client employer or employee, Apprenticeship Connect will need to maintain and process data about the individual for the purposes of providing core business and ancillary activity. The types of data that we collect about an individual varies depending on the nature of our relationship with them.

If you enrol you enrol an employee onto one of our courses or use our apprenticeship recruitment service, we will collect the following data relating to you:

- Name
- Professional contact information and workplace address
- Job title
- IP address to validate electronic signatures

## Where do we obtain personal data from?

We obtain personal data from a range of sources, depending on the nature of our relationship with an individual. Where we have obtained data from a third party it is our policy to advise the data subject of the source at the first point of contact we have with them.

If you enrol you enrol an employee onto one of our courses or use our apprenticeship recruitment service, we may collect data relating to you from the following sources:

- You (i.e., application form, email enquiry)
- Online job boards (Total Jobs, Indeed and Reed, as well as our own website's job board)
- Conversations with you via phone, email or video conference
- Notes following meetings with you
- The public domain
- Social media (i.e., LinkedIn)

## How and why do we use personal data?

How and why we process personal data about an individual varies depending on the nature of our relationship with them. We do not allow personal data to be used for any purpose other than that for which it has been collected; and if we plan to use it for a new purpose, we update our privacy information and communicate the changes to the affected data subjects before starting any new processing.

If you enrol you enrol an employee onto one of our courses or use our apprenticeship recruitment service, we may use your personal data for the following purposes:

- Providing consultation services to you and your organisation with regards to apprenticeship recruitment and/or upskilling of existing employees
- Introducing you to potential apprentices (please note, this will only apply if you use our apprenticeship recruitment service as well as our course delivery service)
- Claiming Education & Skills Funding Agency (ESFA) or apprenticeship levy funds to deliver a course to your employee(s)
- Delivering a course to your employee(s)
- Retaining a record of our engagement with you to establish compliance with the ESFA, Ofsted and other third parties and regulatory bodies (i.e., awarding bodies and End Point Assessment organisations)
- Obtaining feedback from you to help us improve our services
- Obtaining testimonials, photography or videography from you to help us market our services to others
- Marketing further learning and professional development opportunities that may be of interest to you and your employees

## What is our legal justification for processing personal data?

We collect and use personal data in accordance with the legal justifications (known as lawful bases) established by the GDPR. The legal justification we use for each type of processing varies on the nature of the processing.

### Consent

We will gain your explicit consent to process personal data for the following purposes:

- Obtaining testimonials, photography or videography to help us market our services to others

You have the right to withdraw your consent at any point during your engagement with us. Please see *What rights do our data subjects have?* for further information regarding withdrawing your consent.

### Legal Obligation

We process personal data for the following purposes in line with our legal or statutory obligation to do so:

- Reporting data breaches to the Information Commissioner's Office, in line with the General Data Protection Regulation
- Reporting health and safety incidents to the Health & Safety Executive or other relevant regulatory bodies, in line with the Health & Safety at Work Act 1974
- Reporting safeguarding concerns to the relevant authority, such as the police, NSPCC or local authority, in line with the Safeguarding Vulnerable Groups Act 2006

### Legitimate Interests

In providing our core services we carry out processing of personal data which is necessary for our legitimate business interests. In any instance where we rely on the lawful basis of legitimate interests, we believe that such processing is necessary for Apprenticeship Connect to function as a business and provide a service to clients.

We consider that such processing goes no further than the data subject would reasonably expect and is likely to align with the data subject's own interests. We also believe that the processing is unlikely to be detrimental to the fundamental rights and freedoms of the data subject.

We conduct the following forms of processing under this lawful basis:

- Contacting prospective client employers about our services
- Assessing the suitability of prospective vacancies and/or upskill opportunities with client employers with the view to providing them with apprenticeship recruitment and/or delivery services

- Claiming Education & Skills Funding Agency (ESFA) or apprenticeship levy funds to deliver a course to learners
- Delivering a course to learners and applying for the appropriate certification of their achievements
- Retaining a record of our engagement with data subjects to establish compliance with the ESFA, Ofsted and other third parties and regulatory bodies (i.e., awarding bodies and End Point Assessment organisations)
- Inviting client employers to participate in competitions and awards
- Requesting feedback to improve our services

### **Where do we transfer personal data?**

We routinely transfer personal data to a range of third party processors depending on our relationship with the data subject. If you enrol you enrol an employee onto one of our courses or use our apprenticeship recruitment service, we may share your personal data with the following third parties:

- IT and telecoms suppliers (Automattic Inc; Calendly LLC; Cisco International Ltd; Claromentis Ltd; Google LLC; Kaspersky Lab UK Ltd; Microsoft Corporation; Newimage Communications Ltd; Pellcomp Software Ltd; Recruitly UK Ltd; STL Communications Ltd; Typeform SL; Vodafone Group PLC; Zoom Video Communications)
- Facilities and hospitality providers as required (WeWork Companies Inc)
- Online learning platform providers: e-portfolio system (City & Guilds Group) and virtual learning environments (Instructure Global Ltd)
- Education & Skills Funding Agency (ESFA)
- Ofsted
- Training providers with a direct contract with the ESFA that subcontract their training services to Apprenticeship Connect (Rewards Training Recruitment Consultancy Ltd; Prevista Ltd; and GP Strategies Ltd)
- Awarding bodies and End Point Assessment organisations (Association of Accounting Technicians; British Safety Council; BCS, The Chartered Institute for IT; Chartered Institute of Marketing; City & Guilds Group; Federation for Industry Sector Skills & Standards; Instructus Group; Learning & Skills Improvement Service; NCFE; Pearson; Recruitment & Employment Confederation; Skills for Care & Development; Skillsfirst Awards Ltd)
- Any regulatory authority or statutory body pursuant to a request for information or any legal obligation which applies to us
- Legal or professional advisors

In order to be granted access to any personal data that we hold, any third-party organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements, and retention and use of the data.

### **How long do we store personal data for?**

We do not keep personal data for any longer than necessary to comply with our legal obligations and for our legitimate business interests, as laid out in our *Record Retention & Disposal Policy*.

Client employer data is stored in line with the Education & Skills Funding Agency's document retention schedule if they use our recruitment service to recruit an apprentice, or if they enrol an existing employee onto an apprenticeship. If a client employer does not recruit an apprentice or enrol an existing employee onto an apprenticeship, their data is stored for a period of one year from the last point of engagement with.

We may use aggregated data such as statistical or demographic data derived from the personal data that we process. However, since it cannot be used to identify an individual, it does not constitute 'personal data' and therefore does not fall within the scope of our record retention schedule.

## How and why do we use cookies?

We use cookies to collect information about how visitors use our website, including which pages a visitor views, where they came to our website from, and which browser they are using. This data helps us to improve our website. We don't use cookies to gather any personal information that could be used to advertise products or services to you on other websites.

We use the following third-party web analytics services to collect this data: Inspectlet and Google Analytics. These services process data in an anonymous form. Because it is anonymous, the data collected does not constitute 'personal data' and therefore does not fall within the scope of our Data Protection Policy.

## Phone Calls & Video Meetings

At times we may choose to record phone calls made to or from our offices for internal quality monitoring and training purposes. Recordings will never be shared externally without your explicit consent and will be automatically deleted after 6 months.

We may also record online video meetings conducted via our remote meeting platform, Zoom. You will be informed at the start of a meeting if it is being recorded, and you will be able to see the 'Recording' icon on the screen for the duration of the meeting. Recordings can be made available to you following the meeting so that you have a record of the areas discussed; and they may also be used internally for quality monitoring and training purposes. Recordings will never be shared externally without your explicit consent.

## What rights do our data subjects have?

It is important that all our data subjects understand their rights in relation to personal data. If we process any personal data that relates to you, you have the right to:

- Withdraw your consent for us to processing your personal data in any area of our activity that you have previously consented to
- Request that inaccurate or incomplete personal data is rectified
- Request that any direct marketing to you is stopped
- Request a copy of any personal data that we hold about you
- Object to our processing of your personal data, unless there are compelling grounds for us to continue (i.e., if we have a statutory or legal obligation to process the data)
- Request that we restrict certain aspects of processing your personal data
- Request that your personal data is erased (commonly referred to as your 'right to be forgotten'), unless there are compelling grounds for us to continue (i.e., if we have a statutory or legal obligation to process the data)
- Request that any personal data provided directly by you (i.e., via an application form) is transferred to another data controller (i.e., another apprenticeship provider)
- Make a complaint to the Information Commissioner's Officer (ICO)

If you wish to exercise any of the rights detailed above, please submit your request to [data@apprenticeshipconnect.co.uk](mailto:data@apprenticeshipconnect.co.uk)

Please contact us to obtain our *Subject Rights Procedure* for details of how we respond to requests and the instances that these may be refused.

## Queries & Complaints

If you have a concern about the way that we are collecting or using your personal data, we request that you raise your concern with our Data Protection Officer, Olivia Doyle ([olivia.doyle@apprenticeshipconnect.co.uk](mailto:olivia.doyle@apprenticeshipconnect.co.uk)) in the first instance. This does not affect your right to complain to the Information Commissioner's Office (ICO): [www.ico.org.uk](http://www.ico.org.uk)