

COMMUNITY SYSTEMS

Data Privacy Policy (Learner)



Last policy review date:	03/05/18
Reviewed by:	Jonathan Knight
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Next review due:	May 2019

<p>Introduction</p>	<p>Community Systems is committed to protecting your privacy when you use our services.</p> <p>This policy describes how Community Systems will collect and use your personal data and how we protect your privacy.</p> <p>Please read this Policy carefully as it contains important information on 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.</p>
<p>Context and the General Data Protection Regulations</p>	<p>Community Systems is required to keep certain information about its students to allow it to provide courses to you and to perform tasks required by the funding authorities under the lawful basis of Public tas.</p> <p>The legislation that governs the way this is done is General Data Protection Regulations (GDPR) (Regulation (EU) 2016/679).</p> <p>The GDPR sets out the data protection principles to which we must comply.</p> <p>Article 5 of the GDPR requires that personal data shall be:</p> <p>“a) processed lawfully, fairly and in a transparent manner in relation to individuals;</p> <p>b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial</p>

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	<p>purposes;</p> <p>c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;</p> <p>d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;</p> <p>e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and</p> <p>f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.”</p>
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Who we are	<p>Community Systems is a limited company (Company No. 2806784). Our registered address is York House, 13th Floor, Empire Way, Wembley, Middlesex, HA9 0PA.</p> <p>We provide government-funded accredited and non-accredited training for adults through a number of subcontracting arrangements with other organisations.</p> <p>For the purposes of the General Data Protection Regulation (Regulation (EU) 2016/679) (GDPR), Community Systems is the 'Processor' of learner personal data and the Secretary of State for education is the 'Controller' of that data.</p> <p>Your personal information is used by the DfE to exercise its functions and to meet its statutory responsibilities, including under the</p>
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	<p>Apprenticeships, Skills, Children and Learning Act 2009 and to create and maintain a unique learner number (ULN) and a personal learning record (PLR).</p> <p>The Department for Education's Privacy statement can be found at: https://www.gov.uk/government/publications/esfa-privacy-notice</p> <p>If you have any queries about this Policy, the way in which we process personal data, or about exercising any of your rights, you may contact our Privacy Officer by sending an email to howard.thraves@communitysystems.co.uk or writing to Privacy Officer, Community Systems, York House, 13th Floor, Empire Way, Wembley, Middlesex, HA9 0PA</p>
<p>What personal data do we collect?</p>	<p>We collect a range of personal data from our learners including: name, address, gender, date of birth, telephone, email, details about your residence status e.g. passport/ ID reference numbers, visa or Home Office documents.</p> <p>We also collect sensitive data including ethnicity, benefit status, health and/or learning difficulty types.</p> <p>All the above data is required under the ESFA funding rules in order to claim funds to carry out the training and services we provide to you. We also use this data to monitor and improve performance, achievements, security and health and safety to meet required quality standards e.g. Ofsted, Matrix</p> <p>We may also collect other categories of personal data to enable us to administer requests for reasonable adjustments or in relation to a specific qualification or programme, or if required to carry our quality assurance processes, investigations, complaints and appeals.</p> <p>We assign a unique learner number to each learner at the point of learner enrolment which we also use in relation to your learning, assessment, and certification.</p> <p>We are committed to ensuring that the information we collect and use is appropriate for the purpose of education, and does not constitute an invasion of your privacy.</p>
<p>How do we use</p>	<p>We use your personal data in accordance with the legal basis of</p>

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<p>your personal data?</p>	<p>Public task: collecting the data is necessary to perform tasks that we are required to perform as part of our statutory function through our funded provision.</p> <ul style="list-style-type: none"> • Claim/access funding for the services we provide • provide you with products and/or services for which you have enrolled; • undertake administration in relation to products and/or services for which you have enrolled; • provide you with a certificate, credit or other record of learning; • contact you directly in relation to our quality assurance processes, investigations, appeals, and complaints; • contact you directly in relation to new and existing training products, services, news, awards and events offered by Community Systems and/or our partner organisations; • assess and provide reasonable adjustments in relation to your learning or assessment where requested. • To monitor and report on performance and quality of provision e.g. for business continuity, Ofsted and Matrix <p>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.</p>
<p>Who do we share your personal data with?</p>	<p>We only share your personal data with relevant third parties, where necessary, in relation to your learning, assessment, or certification, including:</p> <ul style="list-style-type: none"> • The ESFA who require this information to fund the service you receive; • Relevant partner organisations to whom we act as subcontractors in providing the services you receive. These may include local authorities, private providers and colleges who in turn share your data with the ESFA; • Awarding bodies so that we can register, assess and certificate your learning; • Other Government Departments where required such as Department for Work and Pensions for those on benefits • It may also be the case that personal information is provided to such organisations through agencies acting on their

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	<p>behalf.</p> <p>We may also share 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, or for the protection of life in the case of an emergency.</p> <p>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.</p> <p>In Line with the Department of Education Privacy statement, your information may be shared with third parties for education, training, employment and well-being related purposes, including for research. This will only take place where the law allows it and the sharing is in compliance with data protection legislation.</p> <p>The English European Social Fund (ESF) Managing Authority (or agents acting on its behalf) may contact you in order for them to carry out research and evaluation to inform the effectiveness of training.</p> <p>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.</p>
<p>How long will we keep your personal data?</p>	<p>We will retain personal data no longer than is necessary for the purposes for which the personal data was collected/processed.</p> <p>In most cases this period is set out by government in the funding rules to ensure we are able to comply with any contractual, legal, audit and other regulatory requirements, or any orders from competent courts or authorities.</p> <p>We keep your data for 7 years after you have left your course, if your course is ESF funded we are obliged to keep your data until 2030. If you apply but do not enrol we keep your data for 2 years. If your data is needed for legal proceedings we may need to keep it for longer in this case we will consult with you.</p>

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Your rights

Right to Access

You have the right to request a copy of the personal data that we hold about you by contacting us at the email or postal address given below. Please include with your request information that will enable us to verify your identity. We will respond within 1 month of 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

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	<p>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. Please contact us using the contact details provided below.</p> <p>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 request make such request, please contact us using the contact details provided below.</p> <p>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.</p>
<p>Contact</p>	<p>If you have any queries about this Policy, the way in which Community systems processes personal data, or about exercising any of your rights, you can contact our Privacy Officer by sending an email to howard.thraves@communitysystems.co.uk or writing to Privacy Officer, Community Systems, York House, 13th Floor, Empire Way, Wembley, Middlesex, HA9 0PA</p>
<p>Complaints</p>	<p>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 to 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.</p>
<p>Changes to our Policy</p>	<p>This policy will be reviewed regularly (at least annually) and any changes, where appropriate, notified to you by e-mail.</p>