

GDPR Privacy Notice for Learners/Delegates

Introduction

PETA Limited collects and processes personal data relating to its learners and is the Data Controller of the personal data that it collects and processes for these purposes.

PETA Limited is committed to being transparent about how it handles your personal data, to protecting the privacy and security of your personal data and to meeting its obligations under the General Data Protection Regulation (“GDPR”) and the Data Protection Act 2018. The purpose of this privacy notice is to make you aware of how and why we will collect and use your personal information both during and after your learning experience with us. We are required under the GDPR to notify you of the information contained in this privacy notice.

This privacy notice applies to all current and former learners and delegates.

PETA Ltd has appointed a Data Protection Lead to oversee compliance with this privacy notice. If you have any questions about this privacy notice or about how we handle your personal information, please contact the Data Protection Lead in the first instance by emailing Dataprotection@peta.co.uk.

Data protection principles

Under the GDPR, there are six data protection principles that PETA Ltd must comply with. These provide that the personal information we hold about you must be:

- ▲ Processed lawfully, fairly and in a transparent manner.
- ▲ Collected only for legitimate purposes that have been clearly explained to you and not further processed in a way that is incompatible with those purposes.
- ▲ Adequate, relevant and limited to what is necessary in relation to those purposes.
- ▲ Accurate and, where necessary, kept up to date.
- ▲ Kept in a form which permits your identification for no longer than is necessary for those purposes.
- ▲ Processed in a way that ensures appropriate security of the data.

PETA Ltd is responsible for, and must be able to demonstrate compliance with, these principles. This is called accountability.

WHAT TYPES OF PERSONAL INFORMATION DO WE COLLECT ABOUT YOU?

Personal information is any information about an individual from which that person can be directly or indirectly identified. It doesn't include anonymised data, i.e. where all identifying particulars have been removed. There are also “special categories” of personal information which requires a higher level of protection because it is of a more sensitive nature. The special categories of personal information comprise information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and genetic and biometric data.

PETA Ltd collects, uses and processes a range of personal information about you which may include:

- ▲ contact details, including your name, address, telephone number and personal e-mail address (1), (2), (3)
- ▲ emergency contact details/next of kin (1)
- ▲ date of birth (2)(3)
- ▲ National Insurance Number (1), (2) and (3)
- ▲ gender (2)(3)
- ▲ marital status (2)(3)

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- ▲ unique learner number (ULN)
- ▲ application form and interview notes
- ▲ proof of identification (1)
- ▲ Service Agreement and related correspondence (1)
- ▲ skills, qualifications, experience and work history (1), (3)
- ▲ Special educational needs
- ▲ Assessment results (including results from third parties e.g. BKSB)
- ▲ performance reviews and assessments, targets and training records (1)
- ▲ any performance improvement plans and related correspondence (1), (2)
- ▲ details of any termination of service agreement and related correspondence (1)
- ▲ information about your use of our IT systems, including usage of telephones, e-mail and the Internet (1)
- ▲ photographs (1)

PETA Ltd may also collect, use and process the following special categories of your personal information (as applicable):

- ▲ information about your health, including any medical condition, whether you have a disability in respect of PETA Ltd making reasonable adjustments, sickness absence records (including details of the reasons for sickness absence being taken) and related correspondence (1)
- ▲ Characteristics (information such as ethnicity, language and nationality) (1)

CCTV DATA

Recognisable images captured by CCTV systems are also deemed as “personal data”.

CCTV systems are installed for the purpose of enhancing security for learners, employees and visitors to PETA’s premises as well as security of PETA Ltd’s property. The legal basis for which CCTV surveillance is intended is in the public interest; namely for the purposes of:

- ▲ promoting the health and safety of learners, employees and visitors;
- ▲ reducing the incidence of crime and anti-social behaviour including theft and vandalism;
- ▲ supporting the police in deterring and detecting crime
- ▲ assisting in identifying, apprehending and prosecuting offenders
- ▲ protecting company buildings and assets;

PETA Ltd, therefore, reserves the right to refer to CCTV recordings as a source of evidence in any investigation (including disciplinary) which may include matters relating to a breach in PETA Ltd’s company policy or code of conduct and/or inappropriate or aggressive behaviour on the part of a learner, customer or member of the public.

Use of the CCTV technologies for other purposes is prohibited by this policy.

CCTV video recording will cover the building’s entrances and exits, lobbies and common areas. Adequate signage will be displayed around the site indicating that CCTV is in operation. However, signs will not be located at all doors or at all camera points.

PETA Ltd will only install covert cameras if it is deemed that this is necessary, under the direction of the CEO once agreed by the Chair of PETA’s Council.

The images/recordings captured by the CCTV systems will be retained for a maximum of 30 days and then erased or overwritten, except where the image identifies an issue and is retained specifically in the context of an investigation/prosecution of that issue.

The images/recordings will be stored in a secure environment with a log of access kept. Access will be restricted to authorised staff and when recordings are being viewed, access will be limited to authorised individuals on a need-to-know basis.

DVDs/memory sticks storing the CCTV system and stored images will be restricted to authorised staff only. In relevant circumstances, CCTV footage may be accessed:

- ▲ by Police where the PETA Ltd is required by law to make a report regarding a suspected crime;
- ▲ following a request by Police when a crime or suspected crime has taken place and/or when it is suspected that illegal/anti-social behaviour is taking place on site;
- ▲ to the HSE and/or other statutory body charged with safeguarding;
- ▲ to assist PETA Ltd in establishing the facts in cases of unacceptable behaviour by individuals
- ▲ to PETA Ltd's insurance company for evidence regarding damage done to the insured property.

Any person whose image has been recorded has the right to be given a copy of the information recorded which relates to them, unless an exemption/prohibition does not allow the release. Where the image/recording identifies another individual, those images may only be released where they can be redacted/anonymised so that the other person is not identifiable. To exercise their right of access, a data subject must complete a [Data Subject Request](#) form and submit this to PETA Ltd's Data Protection Lead.

A person should provide all the necessary information to assist PETA Ltd in locating the CCTV recorded data, such as the date, time and location of the recording. If the image is of such poor quality as not to clearly identify an individual, that image may not be considered to be personal data and may not be released.

In providing a person a copy of their data, PETA Ltd may provide a still/series of still pictures, a disk or memory stick with relevant images. However, any images of other individuals will be redacted.

PETA Ltd. will not release information/images where it believes the safeguarding of learners or where security may be compromised, or where redaction is not reasonable practicable.

TAKING PHOTOGRAPHS

The Company takes photographs of events in order to pursue the Company's legitimate interests in promoting the services we offer through differing promotional channels. We display notices at the venue to inform visitors that photography will be taking place, and how to notify us if you do not wish to be photographed.

HOW DO WE COLLECT YOUR PERSONAL INFORMATION?

PETA Ltd may collect personal information about learners in a variety of ways. It is collected during the application process, either directly from learners or your employer.

We will also collect additional personal information throughout the duration of your learning programme with us. This may be collected in the course of your work-related activities. Whilst some of the personal information you provide to us is mandatory and/or is a statutory or contractual requirement, some of it you may be asked to provide to us on a voluntary basis. We will inform you whether you are required to provide certain personal information to us or if you have a choice in this.

Your personal information may be stored in different places, including in your learner file, in PETA Ltd.'s databases and in other IT systems, such as the e-mail system.

WHY AND HOW DO WE USE YOUR PERSONAL INFORMATION?

We will only use your personal information when the law allows us to. These are known as the legal bases for processing. We will use your personal information in one or more of the following circumstances:

- ▲ where we need to do so to perform the services we have entered into with your employer or directly with you (1)
- ▲ where we need to comply with a legal obligation (2)
- ▲ where it is necessary for our legitimate interests (or those of a third party), and your interests or your fundamental rights and freedoms do not override our interests (3).

We may also occasionally use your personal information where we need to protect your vital interests (or someone else's vital interests).

We need all the types of personal information listed under “*What types of personal information do we collect about you?*” primarily to enable us to perform our contract with your employer or with you directly (1) and to enable us to comply with our legal obligations (2). In some cases, we may also use your personal information where it is necessary to pursue our legitimate interests (or those of a third party), provided that your interests or your fundamental rights and freedoms do not override our interests (3). Our legitimate interests include: performing or exercising our obligations or rights under the direct relationship that exists between PETA Ltd your employer or with you directly; performing effective internal administration and ensuring the smooth running of the business; ensuring the security and effective operation of our systems and network; protecting our confidential information. We have indicated, by using (1), (2) or (3) next to each type of personal information listed above, what lawful basis we are relying on to process that particular type of personal information.

- ▲ apply for government funding (1), (2)
- ▲ check qualifications (1)
- ▲ check ID and eligibility to work in the UK (1), (2)
- ▲ enable us to maintain accurate and up-to-date learner records and contact details (including details of whom to contact in the event of an emergency) (1), (3)
- ▲ comply with the duty to make reasonable adjustments for disabilities (1), (3)
- ▲ maintain an accurate record of your engagement terms (1)
- ▲ administer the contract we have entered into with your employer or with you directly (1)
- ▲ record and assess your education, training and identify any special needs (1), (3)
- ▲ support learning (1)
- ▲ record Company visits (1)
- ▲ operate and maintain a record of absence (1)
- ▲ ascertain suitability to the learning programme (3)
- ▲ monitor and assess learner progress (1)
- ▲ meet our obligations under health and safety laws (1). (2)
- ▲ monitor use of our IT systems to ensure compliance with our IT-related policies (1)
- ▲ ensure network and information security and prevent unauthorised access and modifications to systems (1)
- ▲ ensure adherence to PETA rules, policies and procedures (1)
- ▲ monitor equal opportunities (1)
- ▲ assess the quality of our services and identify how we can improve (3)
- ▲ enable us to establish, exercise or defend possible legal claims (2)

Please note that we may process your personal information without your consent, in compliance with these rules, where this is required or permitted by law.

WHAT IF YOU FAIL TO PROVIDE PERSONAL INFORMATION?

If you fail to provide certain personal information when requested or required, we may not be able to perform the contract we have entered into with your employer or with you directly, or we may be prevented from complying with our legal obligations. You may also be unable to exercise your statutory or contractual rights.

WHY AND HOW DO WE USE YOUR SENSITIVE PERSONAL INFORMATION?

We will only collect and use your sensitive personal information, which includes special categories of personal information when the law additionally allows us to.

Some special categories of personal information, i.e. information about your health or medical conditions is also processed so that we can perform or exercise our legal obligations in line with our data protection policy.

We may also process these special categories of personal information where we have your explicit written consent. In this case, we will first provide you with full details of the personal information we would like and the reason we need it, so that you can properly consider whether you wish to consent or not. It is entirely your choice whether to consent. Your consent can be withdrawn at any time.

The purposes for which we are processing, or will process, these special categories of your personal information are to:

- ▲ assess your suitability for a PETA course, programme or employment
- ▲ comply with statutory and/or regulatory requirements and obligations
- ▲ comply with the duty to make reasonable adjustments for disabilities
- ▲ administer the contract we have entered into with you/your employer
- ▲ operate and maintain a record of sickness absence procedures
- ▲ manage, plan and organise work
- ▲ meet our obligations under health and safety laws
- ▲ adhere to PETA Ltd's rules, policies and procedures
- ▲ monitor equal opportunities

Where PETA Ltd processes special categories of personal information about your racial or ethnic origin, religious or philosophical beliefs and sexual orientation, this is done only for the purpose of equal opportunities monitoring and in line with our data protection policy. Personal information that PETA Ltd uses for these purposes is either anonymised or is collected with your explicit written consent, which can be withdrawn at any time. It is entirely your choice whether to provide such personal information.

CHANGE OF PURPOSE

We will only use your personal information for the purposes for which we collected it. If we need to use your personal information for a purpose other than that for which it was collected, we will provide you, prior to that further processing, with information about the new purpose, we will explain the legal basis which allows us to process your personal information for the new purpose and we will provide you with any relevant further information. We may also issue a new privacy notice to you.

WHO HAS ACCESS TO YOUR PERSONAL INFORMATION?

Your personal information may be shared internally within PETA Ltd, including tutors, assessors, coaches, mentors and IT staff if access to your personal information is necessary for the performance of their roles.

PETA Ltd may also share your personal information with third-party service providers (and their designated agents), including:

- ▲ external IT services
- ▲ external auditors
- ▲ tutors
- ▲ assessors

We may also need to share your personal data with a regulator or to otherwise comply with the law.

We may share your personal data with third parties where it is necessary to administer the contract we have entered into with you, where we need to comply with a legal obligation, or where it is necessary for our legitimate interests (or those of a third party). Third parties include:

- ▲ prospective employers
- ▲ apprenticeship services account
- ▲ learner record service (Government portal for checking qualifications)
- ▲ skills assessment (e.g. BKSb)
- ▲ learner progress review portal (e.g. CMI)
- ▲ awarding bodies e.g. ACE, C & G, CIM, BCS, ITIL Foundation
- ▲ when we need to sub-contract a specific learning programme e.g. to a local college

HOW DOES PETA LTD PROTECT YOUR PERSONAL INFORMATION?

PETA Ltd has put in place measures to protect the security of your personal information. It has internal policies, procedures and controls in place to try and prevent your personal information from being accidentally lost or destroyed, altered, disclosed, used or accessed in an unauthorised way. In addition, we limit access to your personal information to PETA Ltd's staff, tutors, assessors and other third parties who have a business need to know in order to perform their job duties and responsibilities. You can obtain further information about these measures from our Data Protection Lead.

Where your personal information is shared with third-party service providers, we require all third parties to take appropriate technical and organisational security measures to protect your personal information and to treat it subject to a duty of confidentiality and in accordance with data protection law. We only allow them to process your personal information for specified purposes and in accordance with our written instructions and we do not allow them to use your personal information for their own purposes.

PETA Ltd also has in place procedures to deal with a suspected data security breach and we will notify the Information Commissioner's Office (or any other applicable supervisory authority or regulator) and you of a suspected breach where we are legally required to do so.

FOR HOW LONG DOES PETA LTD KEEP YOUR PERSONAL INFORMATION?

PETA Ltd will only retain your personal information for as long as is necessary to fulfil the purposes for which it was collected and processed, including for the purposes of satisfying any legal, health and safety, reporting or accounting requirements.

Once you have completed your episode of learning, we will generally hold your personal information in accordance with PETA Ltd's Control of Records Procedure subject to any minimum statutory or other legal, health and safety, government funding requirements for particular data or records or to protect against legal risk, e.g. if they could be relevant to a possible legal claim.

Personal information which is no longer to be retained will be securely and effectively destroyed or permanently erased from our IT systems and we will also require third parties to destroy or erase such personal information where applicable.

In some circumstances we may anonymise your personal information so that it no longer permits your identification. In this case, we may retain such information for a longer period.

YOUR RIGHTS IN CONNECTION WITH YOUR PERSONAL INFORMATION

It is important that the personal information we hold about you is accurate and up to date. Please keep us informed if your personal information changes, e.g. your emergency contact details change, so that our records can be updated. PETA Ltd cannot be held responsible for any errors in your personal information in this regard unless you have notified PETA Ltd of the relevant change.

As a data subject, you have a number of statutory rights. Subject to certain conditions, and in certain circumstances, you have the right to:

- ▲ request access to your personal information - this is usually known as making a data subject access request and it enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it
- ▲ request rectification of your personal information - this enables you to have any inaccurate or incomplete personal information we hold about you corrected
- ▲ request the erasure of your personal information - this enables you to ask us to delete or remove your personal information where there's no compelling reason for its continued processing, e.g. it's no longer necessary in relation to the purpose for which it was originally collected
- ▲ restrict the processing of your personal information - this enables you to ask us to suspend the processing of your personal information, e.g. if you contest its accuracy and so want us to verify its accuracy
- ▲ object to the processing of your personal information - this enables you to ask us to stop processing your personal information where we are relying on the legitimate interests of the business as our legal basis for processing and there is something relating to your particular situation which makes you decide to object to processing on this ground
- ▲ data portability - this gives you the right to request the transfer of your personal information to another party so that you can reuse it across different services for your own purposes.

If you wish to exercise any of these rights, please complete a [Data Subject Request](#) and submit via email to dataprotection@peta.co.uk. We may need to request specific information from you in order to verify your identity and check your right to access the personal information or to exercise any of your other rights. This is a security measure to ensure that your personal information is not disclosed to any person who has no right to receive it.

In the limited circumstances where you have provided your consent to the processing of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. This will not, however, affect the lawfulness of processing based on your consent before its withdrawal. If you wish to withdraw your consent, please contact our Data Protection Lead. Once we have received notification that you have withdrawn your consent, we will no longer process your personal information for the purpose you originally agreed to, unless we have another legal basis for processing.

If you believe that the PETA Ltd has not complied with your data protection rights, you have the right to make a complaint to the Information Commissioner's Office (ICO) at any time. The ICO is the UK supervisory authority for data protection issues.

TRANSFERRING PERSONAL INFORMATION OUTSIDE THE EUROPEAN ECONOMIC AREA

PETA Ltd will not transfer your personal information to countries outside the European Economic Area.

AUTOMATED DECISION MAKING

Automated decision making occurs when an electronic system uses your personal information to make a decision without human intervention.

We do not envisage that any decisions will be taken about you based solely on automated decision making, including profiling. However, we will notify you in writing if this position changes.

CHANGES TO THIS PRIVACY NOTICE

PETA Ltd reserves the right to update or amend this privacy notice at any time, including where it intends to further process your personal information for a purpose other than that for which the personal information was collected or where we intend to process new types of personal information. We will issue you with a new privacy notice when we make significant updates or amendments. We may also notify you about the processing of your personal information in other ways.

CONTACT

If you have any questions about this privacy notice or how we handle your personal information, please contact our Data Protection Lead via email to dataprotection@peta.co.uk.

I acknowledge receipt of this privacy notice and I confirm that I have read and understood it.

Signed: _____

Print Name: _____

Dated: _____