

GDPR Compliant Privacy Notice – Adult Skills Training

GEM Partnership Ltd is a training and recruitment business which provides adult skills training to learners. GEM Partnership Ltd must process personal data (including sensitive personal data) so that it can provide these services. GEM Partnership Ltd uses and protects any information that you provide during your programme of learning. GEM Partnership Ltd is committed to ensuring that your privacy is protected.

For the purposes of providing training services and/or information relating to further training relevant to you we will only use your personal data in accordance with the terms of the following statement.

GEM Partnership Ltd will supply your data to the Education and Skills Funding Agency (ESFA), on behalf of the Secretary of State for the Department for Education (DfE) and the Department of Work and Pensions (DWP). As part of a subcontract, we will supply your data to one of, Hartlepool College for Further Education (HCFE), New College Durham, Bishop Auckland College or Educational Partnership North East for adult skills training. For the purposes of relevant data protection legislation, the DfE or ESFA are the data controllers for personal data as ultimately via a sub-contractor your data will be shared with the DfE and ESFA.

Your personal information is used by the DfE or ESFA to exercise its functions and to meet its statutory responsibilities, including under the Apprenticeships, Skills, Children and Learning Act 2009 and to create and maintain a unique learner number (ULN) and a personal learning record (PLR). Your information will be securely destroyed after it is no longer required for these purposes.

Purpose of processing and legal basis

GEM Partnership Ltd will collect your personal data (which may include sensitive personal data) and will process your personal data for the purposes of providing you with training services.

The legal basis we rely upon to offer these services to you are:

- Consent
- Legitimate interest
- Contractual obligation

Consent

We will clearly obtain your consent for the processing of personal and or sensitive personal data. This will be freely given, specific, informed, unambiguous and we will make it easy for you to withdraw that consent in the future if required. Please contact GEM Partnership Ltd, 2 Cook Way, North West Ind Est, Peterlee, SR8 2HY or e-mail Amy Dudley at training@gempartnership.com

Legitimate interest

Where GEM Partnership Ltd has relied on a legitimate interest to process your personal data our legitimate interests is/are as follows:

- Providing training services to learners as such collecting data to enable learners to progress with their chosen qualification or training pathway.

Statutory/contractual requirement

Your personal data may be required by law and/or a contractual requirement and/or a requirement necessary to enter into a training programme. The ESFA is responsible for funding education and skills in England for children, young people and adults. It is also responsible for delivery of key services in the education and skills sector in England including the provision of information, advice and guidance through the National Careers Service, and the Learning Records Service.

What information do we gather?

Personal data

- Name
- Date of birth
- Contact details, including telephone number, email address and postal address
- Experience, training and qualifications
- National Insurance Number
- Qualification files and completed work within portfolios

Sensitive personal data

- Disability/health condition to support your learning needs
- Ethnicity
- Information on your Household situation.
- Employment Details

How we collect your personal information

We collect your personal information where the law allows it, or we have a legal obligation to do so. Your personal information is collected to enable us to carry out the functions of the DfE.

Personal information is provided directly by you:

- face to face
- over the telephone
- application form
- as part of enrolment paperwork
- on programme, i.e. registers
- completion of surveys and feedback forms
- via websites or subscription to our mailings
- in emails

We may collect personal information about you from other systems or organisations funded by ESFA and from organisations that introduce you to us; so that we can make contact with you.

How we share your personal information

We may share your personal information with other services run by the ESFA, other parts of the DfE, and partner organisations, where the law allows it or we have a contractual obligation to do so:

- with a third party who is working for ESFA under contract
- Hartlepool College for Further Education
- New College Durham
- Bishop Auckland College
- Education Partnership North East
- North East Combined Authority
- European Social Fund (ESF)
- Department for Work and Pensions
- with employers for the purposes of:
 - administration
 - provision of career and other guidance
 - statistical and research purposes, relating to education, training, employment and well-being prevention or detection of crime
- with PICS LMS system for recording and funding purposes
- with awarding bodies for registrations relating to your qualification
- with recruitment division of GEM Partnership Ltd

Other organisations include:

- Local and Combined Authorities in England
- Greater London Authority
- Higher Education Statistics Agency
- Office for Standards in Education

- Institute for Apprenticeships
- Educational institutions and organisations performing research and statistical work on behalf of the Department for Education, or partners of those organisations

Sharing data

In order for the DfE to carry out its functions:

- the ESFA and training providers share data to ensure accuracy of information held in relation to the funding of learning – GEM Partnership Ltd may need to share your information with another training provider in order to verify accuracy of information in relation to a claim for funding from the ESFA
- your personal information may be shared with the European Social Fund and information held in relation to the funding of learning
- your personal information may be shared with another training provider for the purposes of your continued learning

In the event that GEM Partnership Ltd is unable to continue the delivery of training funded by the ESFA (for example, where a training provider is a limited company that is dissolved) the ESFA will endeavour to make arrangements for the secure transfer of information, including your personal data, from the former training provider to another training provider to support your continued learning. It may also request information from Awarding Organisations to establish at what stage your learning has reached according to their records.

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.

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.

We may periodically send promotional emails about new courses, special offers or other information which we think you may find interesting using any email address which you have provided.

How long we will store your data

The Education, Skills and Funding Agency (ESFA), require us to keep your data for 6 years from the end of the last financial year that we last received a funding payment. ESFA will also keep your personal information for 20 years for research and statistical purposes. We will put in place necessary measures to safeguard this information.

The European Social Fund require us to keep your date until December 2030 for any training undertaken prior to 31 Dec 2020. Training undertaken from 31st December 2020 will be held for 6 years from the end of the last financial year that we last received a funding payment.

GEM Partnership Ltd refer you to the data retention policy should you require further information - www.gempartnership.com/data_retention.

If we are processing your personal information using your consent, you can withdraw your consent at any time. please contact GEM Partnership Ltd, 2 Cook Way, North West Ind Est, Peterlee, SR8 2HY or e-mail Amy Dudley, Compliance Manager at training@gempartnership.com

Your Data and Your Rights

You have the right:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

- to withdraw consent to any further processing

Contacting us about your information

If you would like:

- more information about how we process your personal information or your data protection rights
- to make a request about your information – for example to request a copy of your information or to ask for your information to be changed
- Further information about use of and access to your personal data, details of organisations with whom we regularly share data, information about how long we retain your data, and how to change your consent

Please contact GEM Partnership Ltd, 2 Cook Way, North West Ind Est, Peterlee, SR8 2HY or e-mail Amy Dudley, Compliance Manager, at training@gempartnership.com OR 0191 5872999.

You also have the right to complain to the Information Commissioner's Office. Find out on their website how to <https://ico.org.uk/make-a-complaint>