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| **Policy:** | **Privacy Policy** |
| **Created by:** | **Victoria Harte - Director** |
| **Approved by:** | **SMT** |
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**Privacy Notice**

Axia Solutions Limited recognise that your personal privacy and the security of your personal information is extremely important. For the purposes of the Data Protection Act 2018, the data controller is Axia Solutions Limited (Axia). The following statements outline the data we collect and who this may be shared with and why.

In the UK, data protection is governed by the UK GDPR (General Data Protection Regulation) and the DPA (Data Protection Act) 2018 and includes the PECR (Privacy and Electronic Communications Regulations).

This policy is applicable to learners, prospective learners, employees, prospective employees and visitors, who attend Axia, visit our website and social media pages or contact Axia by any other means.

**1. What information do we collect about you?**

**Learner information (including Prospective Learners)**

We collect and process learners’ name, address, date of birth, gender, nationality, parent/guardian/next of kin contact names, phone number, email address, learner support needs, medical information, education history, qualifications, references, ethnic origin, employment history, attendance data, and other relevant information for the purposes set out below. We collect your religion under GDPR Article 9.2b so that we can ensure learners are not discriminated against in any way.

We use learners’ details for the fulfilment of Axia’s contractual relationship with its Learners and for our public task to deliver education programmes. This includes determining and applying enrolment criteria, processing applications/enrolments for admission, and monitoring overall Learner numbers.

We will ask learners to disclose if they have a learning difficulty or disability. We do this to identify any learners who may need additional support and in some cases review whether a learner may pose a risk to the safety or security of other learners, trainers or our premises. In some cases, we may reject a learner’s application due to a disclosure but this is rare and we have a formal process that would meet to review each case before this decision is made.

Parents/guardians, Schools, Colleges, training organisations, Local Authorities, Youth Support and associated services may contact us to request that we confirm the status of a Learner’s application and the course they have applied for. We will share this information unless an individual asks us not to by contacting Axia, email: info@axia-solutions.com

**Learner performance**

Axia will use information gathered to identify support needs and any required reasonable adjustments. Where appropriate, support plans will be negotiated with Learners and shared with identified staff to inform teaching and support strategies. Axia will receive Education, Health and Care Plans and other educational and/or medical documentation from parents, schools, health professionals and local authorities and will identify staff who these will need to be shared with.

To enable Axia to fully support Learners they may actively contact parents and other relevant professionals to make a request for information relating to educational support needs. This contact is in order to support education and learning as fully as possible.

Axia may contact named parents/guardians of Learners under the age of 18 during their course to discuss academic progress, attendance, welfare concerns and conduct.

**Delivery of services by other providers (Data Processors)**

Axia uses sub-contractors/partners for the delivery of some of its courses and programs. As such, these third parties have access to Learner personal details including name, address, date of birth, gender, nationality, parent/guardian contact names, phone number, email address, learner support needs, medical information, education history, qualifications, references, ethnic origin, employment history, attendance data, and other relevant information. Appropriate compliance processes will be followed with these sub-contractors as data processors to ensure they process and safeguard personal data in line with the law.

**CCTV, Images and Audio Recordings**

We may capture learner/staff/visitors’ image on our CCTV systems to ensure the safety of our learners, staff and visitors, and the protection of our buildings and assets (see our CCTV Policy). Axia will also collect photographs for the purpose of identifying and protecting our Learners, staff and premises. This data may be shared with the Police and other agencies where the Axia is required or permitted to do so by law.

Axia’s telephone system can be used to record conversations. This may be done for security purposes, for example if a caller is abusive or threatening. If a conversation is recorded, this information may be shared with the Police and other agencies where Axia is required or permitted to do so by law.

A learner’s/staff member’s photograph or video may also be taken and used as part of promotion of Axia’s events or activities. The individual will be informed if photographs or videos are being taken, in order that they can remove themselves from the recording, if they wish to.

**Data We Process – Parent/Guardians information**

If a learner is under the age of 18 years old at the start of their studies, we require them to provide a (parent/guardian) name, email and phone number. We collect this information to support the communication with potential Learners during the application process and to keep parents/guardians informed about their child’s performance.

**Data We Process – Job applicants, current and former employees**

The information we request is used to assess an applicant’s suitability for employment. The applicant doesn’t have to provide what we ask for but it may affect their application if they choose not to.

**Application stage**

We ask for personal details including name and contact details. We also ask about previous experience, education, referee details and for answers to questions relevant to the role being applied for. Our HR department and Axia SMT will have access to all of this information. Applicants are also asked to provide equal opportunities information. This is not mandatory information. This information will not be made available to any staff outside of our HR department and SMT, in a way which can identify an individual. Any information provided will be used only to produce and monitor equal opportunities statistics.

Candidates are asked to provide proof of identity and qualifications either at the interview, or if successful. Photocopies of original documents are only retained if the candidate is successful in being appointed to the post. The data of unsuccessful applicants for the position will be held for a period of twelve months in case of any queries regarding the outcome or for feedback purposes.

**Conditional Offer**

If we make a conditional offer of employment, we will carry out pre-employment checks. The appointee must successfully complete pre-employment checks to progress to a final offer. We are required to confirm the identity of our staff, their right to work in the United Kingdom and to assess their suitability for the role. You Appointees will therefore be required to provide:

* Proof of identity – original ID documents, including passport, NI number and residency
* Proof of qualifications –original certificates required
* Information to complete a Disclosure and Barring Service application (DBS)
* The details of two referees, whom we can contact, directly to obtain references
* Information to complete a health questionnaire, which may be reviewed, if necessary, by our Occupational Health Unit.

Copies of all original documentation will be taken and verified by the HR department/SMT. Upon commencement of employment, we will also ask for the following:

* Bank details – to process salary payments
* Emergency contact details – so we know who to contact in case of emergency
* Employment status for tax code purposes – to be supplied to HMRC via our Payroll department

Our contract of employment requires all staff to declare if they have any potential conflicts of interest, other employment or engagement. If you complete a declaration, the information will be held by the HR department and SMT

**Visitors to our websites**

Our website uses cookies in order to improve your user experience by enabling our website to ‘remember’ you, either for the duration of your visit or for repeat visits. Cookies allow the collection of standard internet log information and visitor behaviour information such as the areas of the website you click on and how long you spend on each page. We collect this information to personalise your online experience, track visitor usage and compile statistical analysis on website activity.

**Use of Data Processors**

Data processors are third parties who provide services to/for us. Any data processors we use cannot process personal information held by us, unless we have instructed them to do so. They will hold it securely and retain it for the period we instruct.

Axia will only share data with third parties where there is a legal obligation to do so, including ESFA, Learner Records Service (LRS), examination bodies, and local authorities.

From time to time, we engage non-statutory third parties to process personal data on our behalf, for example to follow up course applications during busy periods or undertake research. Where this happens, we require these parties to do so on the basis of written instructions, under a duty of confidentiality and an obligation to implement appropriate technical and organisational measures to ensure the security of data, and never to use it for their own direct marketing purposes.

**International transfers of your personal data**

From time to time we may transfer your personal information to our service providers based outside of the EEA for the purposes described in this Privacy Policy. If we do this your personal information will continue to be subject to one or more appropriate safeguards set out in the law. These might be the use of model contracts in a form approved by regulators, or having our suppliers sign up to an independent privacy scheme approved by regulators such as the USA Privacy Shield scheme.

**Retention of Records**

We retain the personal data processed by us for the purpose for which it was collected (including as required by applicable law or regulation). Axia has a Retention Schedule that specifically sets out detailed retention timescales. More information on how long information will be retained is detailed in the Data Retention Policy.

**Rights of the Data Subject**

Data Protection law provides the following rights for individuals:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling.

An individual (data subject) may ask us at any time for information about any personal data we hold about them, or may request that we amend, update or delete information. We may need to retain limited information about an individual, and so data subjects should bear this in mind if requesting to be ‘forgotten’.

Please Note: We will need to verify an individual’s identity before we can fulfil any requests under Data Protection law. This helps us to protect personal information against fraudulent requests.

Where we are relying on consent as a condition for processing personal data, consent may be revoked for the processing of data by contacting us. We may disclose personal information in circumstances where we have reason to believe that disclosing this information is necessary to comply with the law, or if we have another legal basis to do so.

**How Government uses individual’s data**

This privacy notice is issued by the Education and Skills Funding Agency (ESFA) 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. Our lawful basis for using your special category personal data is covered under Substantial Public Interest based in law (Article 9(2)(g)) of GDPR legislation. This processing is under Section 54 of the Further and Higher Education Act (1992).

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 ESFA each year under the terms of a funding agreement, contract or grant agreement. It helps ensure that public money distributed through the ESFA is being spent in line with government targets. It is also used for education, training, employment, and well-being purposes, including research.

We retain your ILR learner data for 20 years for operational purposes (e.g. to fund your learning and to publish official statistics). Your personal data is then retained in our research databases until you are aged 80 years so that it can be used for long-term 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

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 the DfE Privacy Notice (https://www.gov.uk/government/publications/privacy-notice-for-key-stage-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://form.education.gov.uk/service/Contact\_the\_Department\_for\_Education

By telephoning the DfE Helpline on 0370 000 2288

Or in writing to: Data Protection Officer, Department for Education (B2.28), 7 & 8 Wellington Place, Wellington Street, Leeds, LS1 4AW

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 do we protect your personal information?**

Axia takes the security of personal information very seriously. We have policies and controls in place to safeguard against data being lost, accidentally destroyed, misused or disclosed, and not accessed except by its employees in the proper performance of their duties. More information is detailed in our General Data Protection Policy.

**Complaints or queries**

Axia aim to meet the highest standards and is compliant with legislation, when collecting and using personal information. If you want to make a complaint about the way we have processed your personal information, please contact our Data Protection Officer: [sharont@axia-solutions.com](mailto:sharont@axia-solutions.com)

In the event you are not satisfied with the processing of your personal data you have the right to contact the data protection regulator, at the Information Commissioner’s Office (ICO):

Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Helpline number: 0303 123 1113

ICO website: https://www.ico.org.uk