



# Data Protection Policy

This policy is reviewed annually and may be revised in response to feedback from students, tutors and external organisations.

Version	Review Date	Author	Details
1.1	10/09/2020	Ebenezer	Amended logos



## **Data Privacy Policy 2020**

### **Introduction**

ART Providers Ltd has created this document to demonstrate its commitment to data privacy and its alignment to the requirements of the Data Protection Act 1998 and, in substitution from 25 May 2018, the General Data Protection Regulation 2018 (“GDPR”) in respect of handling and processing personal data.

ART Providers Ltd is registered with the UK Information Commissioner’s Office as a Data Controller and Data Processor.

### **Data received from customers**

ART Providers Ltd will collect and process data that is provided to us. Personal data may be included from existing customers, businesses, organisations, learners, tutors, assessors, internal and external quality assurance personnel. It is important that policies and procedures set out how ART Providers Ltd will use their data and with whom it could potentially be shared.

By adding an individual’s personal data to ART Providers Ltd systems, or by sending personal data via email or by other methods to ART Providers Ltd, you give consent to us processing the data and you confirm that you have obtained the appropriate consent from the relevant individuals for the personal data to be processed by ART Providers Ltd. This also applies where an individual customer supplies personal data for enrolling onto teaching and learning programmes, exams, assessments or to be kept informed of courses and centre updates to include; progression courses, changes to course or qualification standards / learning outcomes or other course related legitimate reasons.

ART Providers Ltd will retain this data for the legitimate processing of the customer details and for a period of not more than 3 years thereafter unless requested otherwise by the customer.

We will use customer personal data for delivering teaching and learning programmes, administering exams and assessments, registering candidates with awarding bodies, forwarding of exam and assessment results and certificates, promoting courses, satisfying the requirements of external funding agencies and legitimate partner Colleges and organisations. All data will be held securely on our systems for not more than 3 years unless requested otherwise. We are required by various awarding bodies to retain learner details for a period of 3 years from the end date of their course. ART Providers Ltd will review annually any incomplete customer details and securely destroy or delete from electronic systems.

### **Learners’ Data**

Customer personal data will be required by ART Providers Ltd when enrolling onto courses, work-based learning, awards or exams. The personal data is usually limited to the details required for ART Providers Ltd to deliver training, assessment and examinations in line with external awarding body requirements.



These details will include a learner's name, date of birth, gender and qualification awarded. For certain qualifications, such as those within the security industry, data held will include photo images and signatures in line with the Security Industry Authority's ("SIA") requirements.

In line with our regulatory requirements, basic learner data will be held by ART Providers Ltd for not more than 3 years.

Personal data captured as part of a quality visit (such as video evidence of training) will be used for the purpose and outcomes of the visit, and then destroyed or deleted.

Learners may also contact ART Providers Ltd to request certificate replacements. In these circumstances, a record of a learner's address is taken so that the certificate can be sent. This is held on file for a maximum of 3 years before it is destroyed or deleted.

### **Existing Customer, Business & Organisations or Authorised Personnel**

Existing Customers, Business, organisations and / or authorised personnel that procure teaching and learning activities from ART Providers Ltd may need to supply ART Providers Ltd with the following details:

1. names, email addresses, telephone numbers, billing information.
2. information about other personnel and contacts for the centre. For example, organisational charts, health and safety and other policies that may include personal data.
3. It is important that you seek permission from third parties if you provide their personal data to us. We may use the business and organisational contact's personal data for the function of: communicating activities between ART Providers Ltd and business and organisational contacts. For example, to inform the business or organisational contact of course or exam results and to send certificates.
4. identifying relevant people with whom we should communicate to plan and undertake off site training, assessment and / or examination activity.
5. communicating regulatory changes and updates, and, if permitted, marketing ART Providers Ltd products or services.
6. Purchasing and the delivery of goods and products.

The existing customer, business or organisational contact's details will be retained for as long as ART Providers Ltd provide a service to a business or organisation. If a business or organisational contact leaves the organisation, it is the organisation's responsibility to inform ART Providers Ltd so that personal details and accounts can be disabled and removed.

### **Tutors, assessors and internal quality assurance (IQA) staff**

Tutors, assessors and quality assurance staff provide ART Providers Ltd with information about their experience and qualifications that confirm their ability to teach in line with the requirements of external awarding bodies. As such, ART Providers Ltd may hold a substantial set of personal details about a tutor, assessor or other staff. These may include:



1. names, email addresses, telephone numbers and other contact information
2. teaching and training qualification certificates
3. proof of professional qualifications
4. employment history and training experience
5. references

This data is required for regulatory purposes to ensure that we meet the necessary conditions of the Awarding Body.

It is important that our customers seek permission from staff members before providing us with their personal data.

This data remains on ART Providers Ltd systems for as long as the individuals continue to be a tutor, assessor or IQA for ART Providers Ltd. If a tutor, assessor or IQA requires their personal data to be removed from ART Providers Ltd systems because they are no longer fulfilling the role, they need to inform ART Providers Ltd so that relevant data can be removed from the systems.

### **Data sharing**

Other than as set out in the next paragraph, we will never distribute or share personal data that is held on our system with any third parties other than ART Providers Ltd employees, consultants and sub-contractors. We may share personal data with regulatory bodies in respect of:

1. security qualifications: learners' details, including photo ID and signatures, will be provided to the SIA
2. the national Learning Record Service ("LRS") – where unique learner numbers (ULNs) have been provided, learners' and qualification data is shared with the LRS
3. investigations carried out by regulatory bodies

ART Providers Ltd has several suppliers of services where personal data is shared including but not limited to:

1. On-screen assessment provider used for some end of course assessment or exam requirements
2. Pension provider for the administration of the corporate pension scheme
3. Further information regarding specific companies can be provided on request.

### **Marketing**

ART Providers Ltd maintains a marketing database that contains the basic details of individuals who have consented to ART Providers Ltd sending information about products, qualifications, events or services to them via email. You can opt out by sending a request specifying your new choice to [data@art-providers.com](mailto:data@art-providers.com)



## **External Consultants, IQA's, SMEs & Suppliers**

ART Providers Ltd engages the services of external freelance consultants and suppliers for various purposes within the company.

It is necessary to obtain and retain personal data for the fulfilment of contracts. Data including but not limited to: names, addresses, contact details, professional qualifications, identification documents, bank details – will be held on Pure Training Solution finance software.

Contracts are reviewed annually, and inactive partnerships deleted from systems.

It is necessary to share bank details with our bankers to make payments for services, ART Providers Ltd will always make sure that the details are only processed using secure banking systems. ART Providers Ltd will never share this information elsewhere, outside of the company unless required to do so by a regulatory or legal authority.

## **Employees**

ART Providers Ltd will only process and hold staff data for the legitimate purpose of employment.

Personal data including name, address, contact details, NI number, date of birth, bank details, employment history, medical history, next of kin contact details is stored and processed on the ART Providers Ltd payroll system and will be held for the duration of the employment.

On leaving the company all data will be removed from systems and personnel files and be archived for a period of 3 years before being securely destroyed. PAYE information will be held on Sage 50 payroll for 6 years after as required by HMRC. CVs and interview notes will be held for 6 months after the recruitment of a role before being securely destroyed or deleted. Data for successful candidates will be stored with employment data.

Prospective CVs will be considered on receipt, shared with internal departments and destroyed should no suitable vacancies be available. ART Providers Ltd does not store prospective CVs.

References will be requested from former employers as part of employment terms. Factual references for former staff will only be provided on request from future employers, ART Providers Ltd will only state dates of employment and final role. On receipt of financial reference requests, ART Providers Ltd HR staff will seek consent before providing information.

Personal data will be shared with relevant agencies for the appropriate performance of pensions schemes, tax affairs, benefit schemes, insurances, fleet management, illness cover. Staff participation in such services will indicate consent to share required data for the performance of the service.

## **Security**

ART Providers Ltd online systems have security measures in place to help protect against the loss or



misuse of any data under our control.

All sensitive information on the website, such as passwords, are encrypted by a proprietary encryption system. All personal data can only be accessed by the relevant end users by way of unique usernames and passwords that must be entered when a user logs in to the systems.

Credit card information is never stored on ART Providers Ltd systems and is only used to authorise specific transactions through Pay Pal card payment authority and then removed. Where credit card data is held (for speed of future payments), this is only held by Pay Pal. Under no circumstances will your credit card information be passed to any other third party.

### **Where we store data**

All data in ART Providers Ltd systems is stored on a secure set of servers hosted by our hosting provider. The servers reside in the United Kingdom. Data is frequently backed up and stored in the provider's backup / disaster recovery facility, which is also in the UK.

This is in a secure server hosting facility with the necessary environmental, physical and technical controls in place to ensure unapproved access is prevented.

ART Providers Ltd email data is stored with Microsoft located in EU data centres and follows Microsoft's standard security and backup processes.

### **Destruction of physical data**

ART Providers Ltd employees are trained to destroy all personal data securely. ART Providers Ltd ensures that all paperwork containing personal data securely shredded off site. Certificates are provided to confirm secure shredding.

### **Data breach incidents**

In line with our regulatory requirements, ART Providers Ltd has a set of processes for data breach issues and incident management. These processes include the required notifications to be sent to the Information Commissioners Office and to customers. This is reviewed annually and may be subject to change.

### **The General Data Protection Regulation 2018**

ART Providers Ltd has adapted its policies and procedures to ensure it is compliant with the GDPR. This will be reviewed annually and updated as processes are developed.

Under the GDPR, individuals have certain rights when it comes to the control of personal data:

1. The right to be informed. Individuals have the right to be given information about how their data is being processed and why. ART Providers Ltd has provided this policy to show how we handle



your data.

2. The right of access. ART Providers Ltd has a duty to comply with the requirements of Subject Access Requests (SAR)
3. The right to rectification. The GDPR includes a right for individuals to have inaccurate personal data rectified or completed if it is incomplete.
4. The right to be forgotten. You have the right to ask ART Providers Ltd to remove your data.
5. The right to restrict processing. You may restrict processing for a legitimate reason, we would still have the right to hold that information.
6. The right to data portability. You may be able to obtain the information we hold about you and use it for your own purposes. Conditions apply.

Should you wish to exercise any of your rights above, please email [data@art-providers.com](mailto:data@art-providers.com) stating the following information:

Your Name, Your Contact details, Your Relationship to Subject, Full details of information relating to your request, Reason for request and the right being exercised. You will be asked to verify your identity if you are the subject, alternatively you will be asked to provide consent from the subject if you are a representative.

Should we require further information we will contact you. Your request will be dealt with within 1 month of receipt of your request.