



## Privacy Policy

We take your privacy very seriously. Please read this privacy policy carefully, as it contains important information on who we are and how and why we collect, store, use and share your personal data. It also explains your rights in relation to your personal data and how to contact us or supervisory authorities in the event you have a complaint.

When we use your personal data we are regulated under the General Data Protection Regulation (GDPR) which applies across the European Union (including in the United Kingdom) and we are responsible as 'controller' of that personal data for the purposes of the GDPR. Our use of your personal data is subject to us offering our services to you, your consent, the GDPR, other relevant UK and EU legislation.

### Key terms

It would be helpful to start by explaining some key terms used in this policy:

We, us, our	Learning Curve Group (a trading name of Learning Curve (NE) Group Limited) is a company registered in England and Wales with company number 08616453. Our registered address is at Unit 51-53 Innovation House, 26 Longfield Road, South Church Enterprise Park, Bishop Auckland, DL14 6XB.
Our data protection officer	The Director of Marketing & Communications is responsible for data protection compliance within Learning Curve Group.  If you have any questions or comments about the content of this policy, or if you need further information, you can contact the Director of Marketing & Communications:  By telephone: 01388 777 129 or  Email: <a href="mailto:data.protection@learningcurvegroup.co.uk">data.protection@learningcurvegroup.co.uk</a>
Personal data	Any information relating to an identified or identifiable individual
Special category personal data	Personal data revealing racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs or trade union membership  Genetic and biometric data  Data concerning health, sex life or sexual orientation

## Personal data we collect about you

The table below sets out the personal data we will or may collect in the course of providing our services to you.

Personal data we will collect	Personal data we may collect
<b>1. Learners</b>	
<p>Your name, address and telephone number</p> <p>Information to enable us to check and verify your identity, e.g. your date of birth or passport details</p> <p>Electronic contact details, e.g. your email address and mobile phone number</p> <p>Your National Insurance and tax details to enable us to determine government funding eligibility</p> <p>Your nationality and immigration status to determine government funding eligibility</p> <p>Details of your spouse/partner and dependents or other family members to determine government funding eligibility and for next of kin purposes</p> <p>Your employment status to enable us to determine government funding eligibility</p> <p>Emergency contact information</p>	<p>Your racial or ethnic origin, gender and sexual orientation, religious or similar beliefs for internal equal opportunities monitoring</p> <p>Health/learning difficulties/disabilities</p> <p>Household situation</p> <p>Prior attainment / previous qualifications</p> <p>Specific employer data (e.g. employer name, weekly hours, job title etc.)</p> <p>Bank details (e.g. for bursary payments where applicable)</p> <p>Destination tracking information after completing learning (further training/employment)</p>

Personal data we will collect	Personal data we may collect
<b>2. Job Applicants/Seekers</b>	
<p>Your name, address and telephone number</p> <p>Information to enable us to check and verify your identity, e.g. your date of birth or passport details</p> <p>Electronic contact details, e.g. your email address and mobile phone number</p> <p>Your National Insurance and tax details</p> <p>Your nationality and immigration status to determine work permit requirements etc.</p> <p>Details of your spouse/partner and dependents or other family members for next of kin purposes</p> <p>Your previous employment records including, where relevant, records relating to sickness and attendance, performance, disciplinary, conduct and grievances</p>	<p>Your racial or ethnic origin, gender and sexual orientation, religious or similar beliefs for internal equal opportunities monitoring</p> <p>Your medical records</p>

This personal data is required to enable us to provide our services to you. If you do not provide personal data we ask for, it may delay or prevent us from providing services to you.

## How your personal data is collected

We collect most of this information from you directly. However, we may also collect information:

- from a third party with your consent, e.g.:
  - consultants and other professionals (schools/colleges);
  - your employer;
  - Learning Records Service (LRS (e.g. Unique Learner Reference/Number (URL/URN), ESFA etc.)
- via our website—we use cookies on our website (for more information on cookies, please see our [cookies policy](#))
- via our information technology (IT) systems, e.g.:
  - e-Assessor portal
  - automated monitoring of our websites and other technical systems, such as our computer networks and connections, CCTV and access control systems, communications systems, email and instant messaging systems;

## How and why we use your personal data

Under data protection law, we can only use your personal data if we have a proper reason for doing so, e.g.:

- for the performance of our contract with you or to take steps at your request before entering into a contract;
- to comply with our legal and regulatory obligations;
- for our legitimate interests or those of a third party; or
- where you have given consent.

A legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests.

The table below explains what we use (process) your personal data for and our reasons for doing so:

<b>What we use your personal data for</b>	<b>Our reasons</b>
To provide educational services to you	For the performance of our contract with you or to take steps at your request before entering into a contract
To provide recruitment services to you	For the performance of our agreement with you or to take steps at your request before entering into a contract
Conducting checks to identify our clients and verify their identity	To comply with our legal and regulatory obligations
Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies	To comply with our legal and regulatory obligations
Ensuring business policies are adhered to, e.g. policies covering security and internet use	For our legitimate interests or those of a third party, i.e. to make sure we are following our own internal procedures so we can deliver the best service to you
Operational reasons, such as improving efficiency, training and quality control	For our legitimate interests or those of a third party, i.e. to be as efficient as we can so we can deliver the best service for you at the best price
Preventing unauthorised access and modifications to systems	For our legitimate interests or those of a third party, i.e. to prevent and detect activity that could be damaging for us and for you To comply with our legal and regulatory obligations
Updating client records	For the performance of our contract with you or to take steps at your request before entering into a contract  To comply with our legal and regulatory obligations  For our legitimate interests or those of a third party, e.g. making sure that we can keep in touch with our clients about existing and new services

<b>What we use your personal data for</b>	<b>Our reasons</b>
Ensuring safe working practices, staff administration and assessments	To comply with our legal and regulatory obligations For our legitimate interests or those of a third party, e.g. to make sure we are following our own internal procedures and working efficiently so we can deliver the best service to you
Marketing our services to: <ul style="list-style-type: none"> <li>existing and former clients</li> <li>third parties who have previously expressed an interest in our services</li> <li>third parties with whom we have had no previous dealings</li> </ul>	For our legitimate interests or those of a third party, i.e. to promote our business to existing and former clients
External audits and quality checks, e.g. for....	For our legitimate interests or a those of a third party, i.e. to maintain our accreditations so we can demonstrate we operate at the highest standards To comply with our legal and regulatory obligations
Safeguarding concerns	To comply with our legal and regulatory obligations

The above table does not apply to special category personal data, which we will only process with your explicit consent.

## Marketing

We may use your personal data to send you information (by email, text message, telephone or post) about our services, new courses and new services.

We have a legitimate interest in processing your personal data for marketing purposes (see above '**How and why we use your personal data**'). This means we do not usually need your consent to market to you. However, where consent is needed, we will ask for this consent separately and clearly.

We will always treat your personal data with the utmost respect and never sell or share it with other organisations for marketing purposes.

You have the right to opt out of receiving promotional communications at any time by:

- contacting us by emailing [unsubscribe@learningcurvegroup.co.uk](mailto:unsubscribe@learningcurvegroup.co.uk)
- using the 'unsubscribe' link in emails or 'STOP' number in texts

We may ask you to confirm or update your marketing preferences if you instruct us to provide further services in the future, or if there are changes in the law, regulation, or the structure of our business.

## Who we share your personal data with

We routinely share personal data with:

- Employers
- Government funding agencies (including the Apprenticeship Service where applicable)
- FE Providers/Colleges
- our group companies
- our insurers and brokers
- external auditors, e.g. in relation to ISO accreditations and the audit of our accounts
- external service suppliers, representatives and agents that we use to make our business more efficient, e.g. marketing agencies, document collation or analysis suppliers
- End Point Assessment Organisations (EPAO)
- Software suppliers (e.g. Smart Assessor, Advanced etc.)
- Awarding Organisations for certification

We only allow our service providers to handle your personal data if we are satisfied they take appropriate measures to protect your personal data. We also impose contractual obligations on service providers relating to ensure they can only use your personal data to provide services to us and to you.

We may disclose and exchange information with law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations.

We may also need to share some personal data with other parties, such as potential buyers of some or all of our business or during a re-structuring. Usually, information will be anonymised but this may not always be possible. The recipient of the information will be bound by confidentiality obligations.

We will not share your personal data with any other third party.

## Where your personal data is held

Information may be held at our offices and those of our third party agencies, service providers, representatives and agents as described above (see '**Who we share your personal data with**').

## How long your personal data will be kept

We will keep your personal data after we have finished providing our services to you. We will do so for one of these reasons:

- to respond to any questions or complaints made by you or on your behalf;
- to show that we treated you fairly;
- to keep records required by law and/or funding criteria.

We will not retain your data for longer than necessary for the purposes set out in this policy. Different retention periods apply for different types of data.

When it is no longer necessary to retain your personal data, we will delete or anonymise it.

## Your rights

You have the following rights, which you can exercise free of charge:

Access	The right to be provided with a copy of your personal data
Rectification	The right to require us to correct any mistakes in your personal data
To be forgotten	The right to require us to delete your personal data—in certain situations. Please contact us directly if you wish to discuss this further.
Restriction of processing	The right to require us to restrict processing of your personal data—in certain circumstances, e.g. if you contest the accuracy of the data
Data portability	The right to receive the personal data you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party—in certain situations
To object	The right to object: —at any time to your personal data being processed for direct marketing (including profiling); —in certain other situations to our continued processing of your personal data, e.g. processing carried out for the purpose of our legitimate interests.
Not to be subject to automated individual decision-making	The right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or similarly significantly affects you

For further information on each of those rights, including the circumstances in which they apply, please contact us or see the [Guidance from the UK Information Commissioner's Office \(ICO\)](#) on individuals' rights under the General Data Protection Regulation.

If you would like to exercise any of those rights, please:

- complete a data subject request form—available on our website at *[insert link]*; or
- email, call or write to us —see below: '**How to contact us**'; and
- let us have enough information to identify you (*e.g. your full name, address and learner reference number (if applicable)*);
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill); and
- let us know what right you want to exercise and the information to which your request relates.

## Keeping your personal data secure

We have appropriate security measures to prevent personal data from being accidentally lost, or used or accessed unlawfully. We limit access to your personal data to those who have a genuine business need to access it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

## How to complain

We hope that we can resolve any query or concern you may raise about our use of your information.

The [General Data Protection Regulation](#) also gives you right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where any alleged infringement of data protection laws occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns> or telephone: [0303 123 1113].

## Changes to this privacy policy

This privacy policy was published in May 2018 and last updated on May 2018.

We may change this privacy policy from time to time.

## How to contact us

Please contact us by post, email or telephone if you have any questions about this privacy policy or the information we hold about you.

Our contact details are shown below:

<b>Our Data Protection Officer's contact details</b>
FAO The Director of Marketing & Communications Unit 51-53 Innovation House, 26 Longfield Road, South Church Enterprise Park, Bishop Auckland, DL14 6XB. <a href="mailto:data.protection@learningcurvegroup.co.uk">data.protection@learningcurvegroup.co.uk</a> 01388 777 129