

LEARNER PRIVACY NOTICE

(POL057A)

2024/25



**BE THE EXPERT
BE THE CUSTOMER
BE THE FUTURE**



LEARNER PRIVACY NOTICE

THIS PRIVACY NOTICE INCLUDES THE ESFA PRIVACY NOTICE AND LINKS TO AWARDING BODY AND OTHER GOVERNMENT ORGANISATIONS WHO WE SHARE YOUR DATA WITH.

Introduction

This privacy notice has been prepared in accordance with the General Data Protection Regulation (EU) 2016/679 ("GDPR") and the Data Protection Act 2018.

This notice sets out the basis on which any personal data including special category personal data that we collect from you, or that you provide to us, will be processed by us. Personal data means information about you that may identify you from that data.

This notice applies to Candidates, Learners, Employers and Partners.

This notice ensures Baltic Apprenticeships meets the Data Protection Principles which require information to be:

- Handled fairly and lawfully
- Kept and used for limited purposes
- Required for good reason
- Correct and up to date
- Not kept longer than necessary
- Handled confidentially
- Stored securely
- Not transferred to unapproved countries outside the European Economic Area

Who we are

Baltic Apprenticeships is a Training Provider who contracts with the Educations and Skills Funding Agency (ESFA), an executive agency of the Department for Education (DfE) to deliver Apprenticeship and Adult Education Training Programmes.

Data Controller Statement

Baltic Training Services Ltd, known as Baltic Apprenticeships (also referred to in this policy as "we" or "us") registered office is Pioneer House, Pioneer Court, Darlington, Co Durham, DL1 4WD Telephone 01325 731050, company number 05868493 is the Data Controller in respect of all data collected.



Purpose of data?

We need to collect, hold and process information about you in order to:

- Confirm your identify and keep in touch with you by post, email, text or telephone
- Help you find and prepare for employment and training opportunities
- Confirm your eligibility for training programme participation
- Register you on a training programme in accordance with the compliance requirements detailed in The Education & Skills Funding Agency Funding (ESFA) Funding & Performance Management rules and ESFA Individual Learning Record (ILR) guidance
- Understand your needs and provide you with the appropriate support
- Meet our statutory obligations including those related to equality & diversity
- Manage our employer customer account and provide you with details of our services
- Respond to queries, complaints or customer feedback

Who might we share your information with?

We do need to share your data with some third parties.

Candidate data will be shared with employers recruiting to fulfil an apprenticeship vacancy

Learner data will be shared with the Education & Skills Funding Agency, Qualification Awarding Bodies, and End Point Assessment Organisations (EPAOs). These organisations will become Data Controllers on receipt of data. Portfolio platforms used by EPAOs are data processors (ACE360 and EPA Pro). Your contact details will be shared with organisations who carry out destination surveys on completion of your apprenticeship. These organisations will also be data processors.

Employer data will be shared with the Education & Skills Funding Agency.

Data will be visible to service providers who provide the mechanisms Baltic Apprenticeships use to collect and store data:

- Databases are provided by Perspective (Sunesis), Bud and Salesforce Seven20.
- Our E-portfolio provider is SMART Assessor and Bud
- Company sharepoints is Microsoft
- Company email service is provided by Aspire
- Documentation signature and exchange is provided by SignNow
- Apprentice Community provided by Hivebrite



How we protect your information?

Measures we have in place to protect your information include computer safeguards such as firewalls and data encryption and we enforce physical access controls to our buildings and files to keep data safe. We only authorise access to employees who need it to carry out their job responsibilities. Please note that we cannot guarantee the security of any personal data that you transfer to us by email.

How we Store your information?

Baltic Training maintains records of the geographical location of your personal data. This is either:

- Stored within the UK or
- Stored within the European Economic Area (EEA)

Call Recording (See Recording Policy)

We operate call recording for training and quality purposes, any personal data disclosed during telephone/Teams meeting calls to and from our offices will be collected.

We operate training delivery call recording to support reasonable adjustments for our learners with a learning difficulty, disability and/or medical condition and for staff training, quality and compliance purposes. For clarification training includes all aspects of programme delivery including Induction, Online Classroom Training, Workshops, Support Sessions and Progress Reviews.

How long do we keep hold of your information?

Learner data will be retained in accordance with our ESFA contractual requirements, this is currently until 31st December 2030 for starts up to 31st July 2023. Starts from 1st August 2023 will be retained for 6 years from the financial year after the last funding claim.

Your rights under General Data Protection Regulation

You have a number of rights under data protection law. We will need to ask you for proof of your identity before we can respond to a request to exercise any of the rights set out below. We also may need to ask you for more information, for example to help us to locate the personal data that your request relates to.



Right 1 – A right to access your information

You have a right to ask us for a copy of your personal data that we hold about you. A request to exercise this right is called a “subject access request” Details of our subject access procedure can be found on our website at www.baltricapptenticeships.com or you can request a copy at dataprotection@baltricapptenticeships.com

Right 2 – A right to object to us processing your information

You have a right to object to us processing any personal data that we process where we are relying on legitimate interests as the legal basis of our processing. This includes all of your personal data that we process for all of the purposes set out in this Privacy Policy. If we have compelling legitimate grounds to carry on processing your personal data, we will be able to continue to do so. Otherwise we will cease processing your personal data.

You can exercise this right by emailing dataprotection@baltricapptenticeships.com

Right 3 – A right to have inaccurate data corrected

You have the right to ask us to correct inaccurate data that we hold about you; on notification we will correct your personal data.

Right 4 – A right to have your data erased

You have the right to ask us to delete your personal data in certain circumstances for example if we no longer need the data for the purpose set out in this Privacy Policy. You can exercise this right by emailing dataprotection@baltricapptenticeships.com

Right 5 – A right to ask us not to market to you

You can ask us not to send you direct marketing. You can do this by clicking “unsubscribe from this list” option at the foot of the Baltic email you receive.

Right 6 – A right to have processing of your data restricted

You can ask us to restrict processing of your personal data in some circumstances, for example if you think the data is inaccurate and we need to verify its accuracy.

How to contact us

If you have any questions or concerns about this Privacy Policy and/or our processing of your personal data you can contact us at dataprotection@baltricapptenticeships.com

What if you have a complaint?

You have a right to complain to the Information Commissioner’s Office (ICO) which regulates data protection compliance in the UK, if you are unhappy with how we have processed your personal data. You can find out how to do this by visiting www.ico.org.uk



Our Privacy Policy

Further information on how Baltic Training use your personal information and the full details of our Privacy Policy is published on our website, please visit:

<https://www.balticapprenticeships.com/policies/data-protection>

EDUCATION AND SKILLS FUNDING AGENCY (ESFA)

ILR Privacy Notice 2024-2025 (Version 1 January 2024)

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](https://form.education.gov.uk/service/Contact%20the%20Department%20for%20Education)
- 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>

Baltic Apprenticeships Privacy Policy

Further information on how Baltic Apprenticeships use your personal information and the full details of our Privacy Policy is published on our website, please visit:

<https://www.balticapprenticeships.com/policies/data-protection>

Data Sharing

Your information will be shared with third parties for learning related purposes, these include End Point Assessment Organisations, Qualification Awarding Bodies, E-portfolio provider, and the Learning Records Services. You will find their Privacy Policy using the following links:

End Point Assessment & Qualification Awarding Body:

<https://www.cityandguilds.com/help/privacy-statement>

Qualification Awarding Body: www.pearson.com/uk/pearson-privacy-and-you/privacypolicy.html

End Point Assessment Organisation & Qualification Awarding Body:

www.bcs.org/category/7426

End Point Assessment Organisation: www.accelerate-people.co.uk/privacy-policy/



End Point Assessment Organisation: <https://1stforepa.co.uk/about-us/epa-policies/>

End Point Assessment Admin Platform: <https://ace360.org/privacy-policy/>

End Point Assessment Admin Platform: <https://www.skilltechsolutions.co.uk/privacy-policy/>

E-Portfolio Provider: <https://www.smart-assessor.com/privacy-policy>

Learning Record Service: www.gov.uk/government/publications/lrs-privacy-notice