



Data Protection
and
Privacy Policy

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1. DATA PROTECTION POLICY

1.1 Policy statement

This Policy 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, compliant with the Data Protection Act 2018, the UK's implementation of the General Data Protection Regulation ("GDPR"). Personal data means information about you that may identify you from that data.

The policy applies to Candidates, Learners, Employers, Employees and business partners (data subjects). Althaus Digital Limited needs to hold and process personal data in order to carry out its business and organisational functions, this may include sensitive personal data.

1.2 Scope

This Policy applies to:

- all personal data held and processed by Althaus Digital Limited. This includes expressions of opinion about the individual and of the intentions of Althaus Digital Limited in respect of that individual. It includes data held in any system or format, whether electronic or paper.
- all employees, management, contractors, associates, business partners and other parties who have access to company data.
- all locations from which personal data is accessed, including away from Althaus offices.

1.3 The principles of Data Protection

Our use of information is governed by the principles of the General Data Protection Regulation. Under the regulations, personal data shall be:

- a) processed lawfully, fairly and in a transparent manner.
- b) collected for specified, explicit and legitimate purposes.
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- d) accurate and where necessary kept up to date.
- e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss destruction or damage, using appropriate technical or organisational measures.

1.4 Individual Rights

Personal data shall be processed in accordance with the rights of individuals, where applicable. These rights are:

- a) the right to be informed about how and why and on what basis information is processed (Privacy Notice);
- b) the right of access to the information held about by Althaus Digital (Subject Access Request);
- c) the right to rectification, to have data corrected if it is inaccurate or incomplete.

- d) the right to erase data if it is no longer necessary for the purpose for which it was originally collected (the right to be forgotten);
- e) the right to restrict processing where the accuracy of the information is contested, or the processing is unlawful);
- f) the right to data portability.
- g) the right to object.
- h) rights in relation to automated decision making and profiling.

1.5 Roles and Responsibilities

Heads of Department are responsible for ensuring that personal data within their teams are processed in line with this Policy and established procedures.

Althaus Digital permanent and temporary employees and associates are responsible for incorporating this policy and its associated procedures into their own working practices to ensure compliance.

1.6 Staff Training

All staff and other approved users of Althaus Digital systems must:

- complete data protection training as part of their mandatory induction learning.
- complete refresher data protection training as a minimum annually or when an audit or other event (including any data breach) may trigger the requirement for further training.
- seek advice and guidance from Heads of Department if clarification is required in any areas relating to data protection policy and procedure.
- comply with related procedures including data transmission, storage and handling guidelines and data retention and deletion procedure.
- immediately report to the Finance Director any actual or suspected misuse, unauthorised disclosure, or exposure of personal data, “near misses” or working practices which jeopardise the security of personal data held by Althaus Digital.

1.7 Transfer of data

Personal data will not be transferred outside of the UK or European Economic Area (EEA).

1.8 Information Security

Althaus Digital will use appropriate technical and organisational measures to keep personal information secure, and in particular to protect against unauthorised or unlawful processing and against accidental loss, destruction, or damage.

1.9 Data Breaches

Althaus Digital takes every care in protecting the personal information it holds and avoiding risks which could lead to a compromise of security and a potential data protection breach.

Compromised security and/or data breaches can result in harm to the individual(s) involved, reputational damage to the Company, detrimental effect on service provision, legislative non-compliance, and/or financial costs.

Staff should refer to data breach procedure to report a data breach.

1.10 **Consequences of failing to comply**

Any breach of this Policy by staff may be treated as misconduct under the disciplinary procedure and could lead to disciplinary action or sanctions. Serious breaches of this Policy may constitute gross misconduct and lead to summary dismissal or termination of contract.

1.11 **Documentation and Records**

A record of processing activity (a data inventory) will be maintained and will include:

- the purpose of the data collection process.
- details of data subjects.
- types of personal data and special categories data collected.
- the source of the data.
- geographical storage location.
- the legal justification for processing.
- retention period.

1.12 **Policy review.**

This policy will be reviewed annually or whenever changes are required.

2. PRIVACY NOTICE

2.1 **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, Employees, and business partners (data subjects).

This policy ensures althaus digital meets the data protection Principles which require information to be:

- a) Handled fairly and lawfully.
- b) Kept and used for limited purposes.
- c) Required for good reason.
- d) Correct and up to date.
- e) Not kept longer than necessary

- f) Handled confidentially.
- g) Stored securely.
- h) Not transferred to unapproved countries outside the European Economic Area

2.2 Who are we?

Althaus Digital is a Training Provider who contracts with the Education and Skills Funding Agency (ESFA)/ Department for Education (DfE) to deliver Apprenticeship and Adult Education Training Programmes.

2.3 Data Controller Statement

Althaus Digital Limited (also referred to in this policy as “we” or “us”) registered office is Charlotte House Stanier Way, The Wyvern Business Park, Derby, England, DE21 6BF, Telephone 0203 649 9000, company number 06941675 is the ‘Data Controller’ in respect of all data collected.

2.4 Your acceptance of this policy and our right to change it

By using our websites, social media pages or by providing your information, you understand that we will collect and use the information provided in the way(s) set out in this policy. If you do not agree to this policy do not use our sites, social media pages or services.

We may make changes to this policy from time to time. If we do so, we will post the changes on this page and they will apply from the time we post them.

2.5 What information do we collect from you or ask you to provide?

We collect data directly from you during recruitment, induction and programme delivery, this includes;

- Personal information – such as your name, date of birth, National Insurance number, gender, contact details, details of your current situation with regarding to education, training or employment, qualifications and your future career aspirations.
- Special categories of personal data – such as ethnic origin, physical or mental health or condition.
- We will collect information you voluntarily provide us when you contact us with queries, complaints, or customer feedback.

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. Training includes all aspects of programme delivery, including induction, online classroom training, workshops, support sessions and progress reviews.

If you visit our website, we may automatically collect the following information.

- Technical information, including the internet protocol (IP) address used to connect your computer to the Internet, login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform.

- Information about your visit to our website such as the products and/or services you searched for and view, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to browse away from the page.

Other sources of personal data

- We may also use personal data from other third-party sources, such as specialist companies that supply information, online media channels and public registers and public website domains.

2.6 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, ESFA Individual Learning Record (ILR) guidance and/or Skills Bootcamp Funding Rules and Guidance.
- Understand your needs and provide you with the appropriate support.
- Meet our statutory obligations including those related to equality and diversity.
- Manage our employer customer account (where relevant) and provide you with details of our services.
- Respond to queries, complaints, or customer feedback.

2.7 Legal basis for processing your data

- **Candidate Recruitment – Legitimate interest:** To ensure that Althaus Digital match candidates wishing to seek apprenticeship and learning opportunities and considering their interests, skills and abilities to match them with employer apprenticeship and employment opportunities.
- **Learner Enrolment and on programme participation – Legitimate interest:** To ensure althaus digital deliver a programme of training in accordance with ESFA/DfE requirements which supports individuals and meets their learning and welfare needs. For special categories of personal data, this is processed as it is necessary for employment.
- **Employers – Legitimate interest:** To ensure althaus digital supports your recruitment needs and that together we deliver a successful apprenticeship programme to our Learners/Employees.
- **Employers (Direct Marketing) – Legitimate interest:** To ensure relevant Employers are invited to support the Government’s Apprenticeships and Skills Policy in England. Apprenticeships and Skills Bootcamps are some of the initiatives the government has in place to improve the skills held by workers in England. Apprenticeships and Skills Bootcamps ensure the skills system is more responsive to employer needs.

- **Improving our service – Legitimate interest:** To make sure that althaus digital continue to improve our service and provide the best and most effective service possible to our customers (candidates, learners and employers).

2.8 Who we might share your information with

We do need to share your data with some third parties. Learner data will be shared with the Education & Skills Funding Agency (ESFA) and/or Skills Bootcamp funding bodies, Qualification Awarding Bodies and End Point Assessment Organisations (EPAOs). These organisations will become Data Controllers on receipt of data. Data will also be shared with our E-portfolio provider (Bud Systems) and the portfolio platforms used by EPAOs. These organisations will become data processors on receipt of data.

Employer data will be shared with the Education & Skills Funding Agency (ESFA) and/or Skills Bootcamp funding bodies and with our E-portfolio provider (Bud Systems).

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

- Databases are provided by HubSpot
- Our E-portfolio provider is Bud Systems
- Our End Point Assessment admin platform is ACE360.
- Company Shared Drive Data and email service is provided by Microsoft 365
- Document exchange and signature is through DocuSign.

2.9 How we protect your information

Measures we have in place to protect your information include computer safeguards such as firewalls, data encryption and multi-factor authentication and we enforce physical access controls to our buildings and files to keep data safe. We only authorise access to employees who specifically 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.

2.10 How we store your information?

Althaus digital maintains records of the geographical location of your personal data and special categories of personal data. This is either:

- Stored in the UK or
- Stored within the European Economic Area (EEA)
- Stored in the USA, with organisations who are certified with privacy shields, e.g., Microsoft, this means that Microsoft provide a level of protection which is deemed adequate by the European Commission.

2.11 How long we keep hold of your information

Candidate/Learner and Employer data will be retained in accordance with our ESFA/ DfE contractual requirements

Operations delivery of training/workshops/support Sessions (Zoom or Teams Recordings) will be retained for the duration of the learners' programme of learning. Telephone/Teams meeting call recordings to/from learners will be retained for the duration of the learners programme of learning, up to 18 months.

Unplaced candidate data will be retained for a period of 12 months from date of last contact

2.12 Automated decision making

Please be advised that no decisions are made using automated decision mechanisms.

2.13 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 requested via dataprotection@althausdigital.co.uk

- 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@althausdigital.co.uk

- 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@althausdigital.co.uk

- 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 the “update your preferences” or “unsubscribe from this list” option at the foot of the email.

- 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.

2.14 **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@althausdigital.co.uk


2.15 **How to make 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.

2.16 **Policy review**

This policy will be reviewed annually or when changes are required.

Policy Management

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Signed off			Name / Role	Pete Buller / CEO	
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2	Pete Buller	02.02.2022	New policy management practice	Mike Loveland
3	Pete Buller	27.09.2022	Updated to althaus digital throughout policy and updated policy management	Lisa Simpson
4	Pete Buller	10.10.2023	Review and update of branding	Lisa Simpson
5	Pete Buller	29.07.2024	Update/ separation of Data Protection and Privacy Policy	Mike Loveland