

# The GTA Data Protection & Retention Policy

This policy applies to all members and associated of the GTA

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## **Introduction**

The Doncaster, Rotherham and District Motor Trades Ltd (GTA) is committed to a policy of protecting the rights and privacy of individuals, including learners, staff and others, in accordance with the General Data Protection Regulation (GDPR) May 2018.

The new regulatory environment demands higher transparency and accountability in how training providers manage and use personal data. It also accords new and stronger rights for individuals to understand and control that use.

The GDPR contains provisions that the GTA will need to be aware of as data controllers, including provisions intended to enhance the protection of learner's personal data. For example, the GDPR requires that:

We must ensure that at the GTA privacy notices are written in a clear, plain and in language which is easy to understand for staff, learners, employers and customers.

Apprenticeship projects under the ESF 2014-2020 Programme must ensure they keep all documents for 10 years after their final ESF claim is paid by the ESF Managing Authority.

This is to ensure documents may be made available to the European Commission and European Court of Auditors upon request in accordance with Article 140(1) of Regulation (EU) No 1303/2013.

## Overview of data categories

The GTA needs to process certain information about its staff, learners, parents and guardians and other individuals with whom it has a relationship for various purposes such as, but not limited to:

### Externally funded courses

- Contact details
- Photographic image
- Driver Licence Details
- Payment Details

### Apprenticeships

- Apprentice application form
- Training Needs Analysis (TNA ADM6.1)
- Contract of training (Training Agreement ADM6.3/5)
- Interview records which may include CVs and assessments (H&S)
- Initial assessment & diagnostic
- Correspondence with or about you
- Medical questionnaire
- Training records (Individual Learning Agreement)
- Funding records (ILR)
- Certificates of achievement
- Contact and emergency contact details
- Records of holiday, sickness and other absence
- Information needed for equal opportunities monitoring
- On programme satisfaction surveys relating to apprenticeship delivery
- Disciplinary and grievance records

### Company Employees

- Contract of employment and any amendments to it
- Interview records which may include CVs and assessments
- Correspondence with or about you
- Information needed for payroll, benefits, pension and expenses purposes
- Employee medical questionnaire
- Contact and emergency contact details
- Records of holiday, sickness and other absence
- Information needed for equal opportunities monitoring policy
- Records relating to your career history, such as training records, appraisals
- Performance measures
- Disciplinary and grievance records

To comply with various legal obligations, including the obligations imposed on it by the General Data Protection Regulation (GDPR) the GTA must ensure that all this information about individuals is collected and used fairly, stored safely and securely, and not disclosed to any third party unlawfully.

### ***Compliance***

This policy applies to all staff and learners. Any breach of this policy or of the Regulation itself will be considered an offence and the GTA's disciplinary procedures will be invoked.

As a matter of best practice, other agencies and individuals working with GTA and who have access to personal information, will be expected to read and comply with this policy. It is expected that departments who are responsible for dealing with external bodies will take the responsibility for ensuring that such bodies sign a contract which among other things will include an agreement to abide by this policy.

This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments to the GDPR and other relevant legislation.

### ***General Data Protection Regulation (GDPR)***

This piece of legislation comes in to force on the 25<sup>th</sup> May 2018. The GDPR regulates the processing of personal data, and protects the rights and privacy of all living individuals (including children), for example by giving all individuals who are the subject of personal data a general right of access to the personal data which relates to them. Individuals can exercise the right to gain access to their information by means of a 'subject access request'. Personal data is information relating to an individual and may be in hard or soft copy (paper/manual files; electronic records; photographs; CCTV images), and may include facts or opinions about a person.

The GDPR also sets out specific rights for the GTA learners in relation to educational records held within the state education system. These rights are set out in separate education regulations 'The Education (Pupil Information) (England) Regulations 2000'. For more detailed information on these Regulations see the Data Protection Data Sharing Code of Practice (DPCoP) from the Information Commissioner's Office (ICO). Please follow this link to the ICO's website ([www.ico.gov.uk](http://www.ico.gov.uk))

### ***Responsibilities under the GDPR***

The GTA will be the 'data controller' under the terms of the legislation – this means it is ultimately responsible for controlling the use and processing of the personal data. The GTA appoints a Data Protection Officer (DPO), currently the Chief Executive who is available to address any concerns regarding the data held by the GTA and how it is processed, held and used.

The Senior Leadership Team is responsible for all day-to-day data protection matters and will be responsible for ensuring that all members of staff and relevant individuals abide by this policy, and for developing and encouraging good information handling within the college.

The Senior Leadership Team is also responsible for ensuring that the GTA's notification is kept accurate. Details of the GTA's notification can be found on the Office of the Information Commissioner's website. Our data registration number is: **Z5887944**

The GTA is also Cyber Essentials compliant.

Compliance with the legislation is the personal responsibility of all members of the GTA's who process personal information.

Individuals who provide personal data to the GTA are responsible for ensuring that the information is accurate and up to date.

### ***Data Protection Principles***

The legislation places a responsibility on every data controller to process any personal data in accordance with the eight principles. Please follow this link to the ICO's website ([www.ico.gov.uk](http://www.ico.gov.uk)).

In order to comply with its obligations, the GTA undertakes to adhere to the eight principles:

#### ***Process personal data fairly and lawfully***

The GTA will make all reasonable efforts to ensure that individuals who are the focus of the personal data (data subjects) are informed of the identity of the data controller, the purposes of the processing, any disclosures to third parties that are envisaged; given an indication of the period for which the data will be kept, and any other information which may be relevant. For example,

- **Process the data for the specific and lawful purpose for which it collected that data and not further process the data in a manner incompatible with this purpose.**

The GTA will ensure that the reason for which it collected the data originally is the only reason for which it processes those data, unless the individual is informed of any additional processing before it takes place.

- **Ensure that the data is adequate, relevant and not excessive in relation to the purpose for which it is processed.**

The GTA will not seek to collect any personal data which is not strictly necessary for the purpose for which it was obtained. Forms for collecting data will always be drafted with this mind. If any irrelevant data are given by individuals, they will be destroyed immediately.

- **Keep personal data accurate and, where necessary, up to date.**

The GTA will review and update all data on a regular basis. It is the responsibility of the individuals giving their personal data to ensure that this is accurate, and each individual should notify the GTA if, for example, a change in circumstances mean that the data needs to be updated. It is the responsibility of the GTA to ensure that any notification regarding the change is noted and acted on.

- **Only keep personal data for as long as is necessary.**

The GTA undertakes not to retain personal data for longer than is necessary to ensure compliance with the legislation, and any other statutory requirements. This means the GTA will undertake a regular review of the information held and implement.

The GTA will dispose of any personal data in a way that protects the rights and privacy of the individual concerned (e.g. secure electronic deletion, shredding and disposal of hard copy files as confidential waste). A log will be kept of the records destroyed.

- **Process personal data in accordance with the rights of the data subject under the legislation.**

Individuals have various rights under the legislation including a right to:

- be told the nature of the information the GTA holds and any parties to whom this may be disclosed
- prevent processing likely to cause damage or distress
- prevent processing for purposes of direct marketing
- be informed about the mechanics of any automated decision making process that will significantly affect them
- not have significant decisions that will affect them taken solely by automated process
- sue for compensation if they suffer damage by any contravention of the legislation
- take action to rectify, block, erase or destroy inaccurate data
- request that the Office of the Information Commissioner assess whether any provision of the Act has been contravened

The GTA will only process personal data in accordance with individuals' rights.

- **Put appropriate technical and organisational measures in place against unauthorised or unlawful processing of personal data, and against accidental loss or destruction of data.**

All members of staff are responsible for ensuring that any personal data which they hold is kept securely and not disclosed to any unauthorised third parties. The GTA will ensure that all personal data is accessible only to those who have a valid reason for using it.

## ***Data Security***

The GTA will have in place appropriate security measures e.g. ensuring that hard copy personal data is kept in lockable filing cabinets/cupboards with controlled access (with the keys then held securely in a key cabinet with controlled access):

- keeping all personal data in a lockable cabinet in a secure location
- a lockable confidential wastepaper bin at each centre
- password protecting personal data held electronically
- archiving personal data which are then kept securely (designated archive room)
- any laptops or computers have automated screen locking (screensaver) with password protection set to a maximum of 60 seconds
- placing any PCs or terminals, CCTV camera screens etc. that show personal data so that they are not visible except to authorised staff

In addition, the GTA will put in place appropriate measures for the deletion of personal data manual records will be shredded or disposed of as 'confidential waste' and appropriate contract terms will be put in place with any third parties undertaking this work. Hard drives of redundant PCs will be wiped clean before disposal or if that is not possible, destroyed physically. A log will be kept of all records destroyed.

This policy also applies to staff and learners who process personal data 'off-site', e.g. when working at home, and in circumstances additional care must be taken regarding the security of the data.

- **Ensure that no personal data is transferred to a country or a territory outside the European Economic Area (EEA) unless that country or territory ensures adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.**

The GTA will not transfer data to such territories without the explicit consent of the individual. This also applies to publishing information on the Internet - because transfer of data can include placing data on a website that can be accessed from outside the EEA - so the GTA will always seek the consent of individuals before placing any personal data (including photographs) on its website.

If the GTA collects personal data in any form via its website, it will provide a clear and detailed privacy statement prominently on the website, and wherever else personal data is collected.

## ***Classification of data***

What is personal data?

Under the EU's General Data Protection Regulation: Personal Data is defined as "any information relating to an identified or identifiable natural person ('data subject'; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identify of that natural person".



## Special categories of Personal Data

Certain data are classified under the Regulation as “special categories”:

- Racial
- Ethnic origin
- Political opinions
- Religious beliefs
- Trade-union membership
- Genetic data
- Biometric data
- Health data
- Data concerning a natural person’s sex life
- Sexual orientation

Consent is required for the GTA to process personal data. If we request ‘special category’ personal data we will always tell you why and how the information will be used.

### ***Consent as a basis for processing***

Although it is not always necessary to gain consent from individuals before processing their data, it is often the best way to ensure that data is collected and processed in an open and transparent manner. Consent is always required when the GTA is processing any sensitive data, as defined by the legislation.

The GTA understands consent means that the individual has been fully informed of the intended processing and has signified their agreement (e.g. via the application form) whilst being of a sound mind and without having any undue influence exerted upon them. Consent obtained on the basis of misleading information will not be a valid basis for processing. Consent cannot be inferred from the non-response to a communication.

### ***“Personal Detail”***

- *For the purposes of the General Data Protection Regulation (GDPR) (Regulation(EU)2016/679 you consent to the GTA holding and processing personal data including sensitive personal data of which you are the subject, details of which are specified in the GTA’s data protection policy).*

The GTA will ensure that any forms used to gather data on an individual will contain a statement (fair collection statement) explaining the use of that data, how the data may be disclosed and also indicate whether or not the individual needs to consent to the processing.

### ***3<sup>rd</sup> party data controller***

The GTA will ensure that if the individual does not give his/her consent for the processing, and there is no other lawful basis on which to process the data, then steps will be taken to ensure that processing of that data does not take place.

### ***Subject Access Rights (SARs)***

Individuals have a right to access any personal data relating to them which are held by the GTA. Any individual wishing to exercise this right should apply in writing to the Chief Executive. Any member of staff receiving a SAR should forward this to the Chief Executive.

The GTA reserves the right to charge a fee for data subject access requests (currently £20).

Under the terms of the legislation, any such requests must be complied with within 40 days.

Data Protection Officer (DPO): Jon Mace [jonmace@doncastergta.co.uk](mailto:jonmace@doncastergta.co.uk) 01302 832831

alternatively

email to: admin@doncastergta.co.uk

or in writing to: DPO, Doncaster, Rotherham and District Motor Trades GTA Ltd  
Rands Lane Industrial Estate  
Rands Lane  
Armthorpe  
Doncaster  
DN3 3DY

Alternatively, you can telephone: 01302 832831

You have the right to ask for a copy of the information the GTA holds about you

### ***Disclosure of Data***

Only disclosures which have been notified under the GTA's privacy notices must be made and therefore staff and learners should exercise caution when asked to disclose personal data held on another individual or third party.

The GTA undertakes not to disclose personal data to unauthorised third parties, including family members, friends and government bodies and in some circumstances, the police.

Legitimate disclosures may occur in the following instances:

- The individual has given their consent to the disclosure
- The disclosure is required for the performance of a contract

There are other instances when the legislation permits disclosure without the consent of the individual.

It may be that in some circumstances an individual wishes their data processed for such reasons to be kept confidential or restricted to the GTA access only. Therefore it is GTA policy to offer an opportunity to opt-out of the publication of such when collecting the information.

### ***Email***

It is the policy of the GTA to ensure that senders and recipients of email are made aware that under the Data Protection Act 1998 (DPA), and Freedom of Information Legislation, the contents of email may have to be disclosed in response to a request for information. One means by which this will be communicated will be by a disclaimer on the GTA's email.

Under the Regulation of Investigatory Powers Act 2000, Lawful Business Practice Regulations, any email sent to or from the GTA may be accessed by someone other than the recipient for system management and security purposes. See CP3.1 Internet Usage Policy for more information.

### ***CCTV***

There are some CCTV systems operating within the GTA for the purpose of protecting College members and property. The GTA will only process personal data obtained by the CCTV system in a manner which ensures compliance with the legislation.

## **Data breaches**

### ***What is a personal data breach?***

The ICO (Information Commissioner's Office) defines a personal data breach as any event that results in "the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data".

### ***This could include incidents that involve:***

- Unauthorised access from a third party;
- Deliberate or accidental action (or inaction) by a data controller or data processor;
- Sending personal data to an unintended recipient;
- Lost or stolen computing devices containing personal data;
- Unauthorised alteration of personal data; and
- Loss of availability of personal data.

### ***Notifying the DPO:***

In the event of a security incident and or suspected breach, staff must immediately inform the Data Protection Officer ("DPO") who is the point of contact for staff on all matters relating to data protection OR inform their line manager who will refer the matter to the DPO.

The contact details for the DPO are as follows:

Data Protection Officer (DPO): Jon Mace [jonmace@doncastergta.co.uk](mailto:jonmace@doncastergta.co.uk) – 01302 832831

The DPO is primarily responsible for taking decisions about whether there has been a data breach, the steps to take and actions in the event of a breach including making a decision about whether the breach is notifiable to the ICO, the data subjects and/or anyone else.

The DPO will liaise with Management Team in respect of these issues as appropriate. No employee should report a suspected data breach or attempt to deal with a suspected data breach without first speaking to the DPO.

Action to be taken in the event of a data breach –

### ***Containment and Recovery***

The immediate priorities are to:

- contain the breach;
- assess the potential adverse consequences for individuals, based on how serious or substantial these are, and how likely they are to happen; and
- limit the scope.

Where you become aware that personal data has been sent to someone not authorised to see it, you should take the following steps:

- Immediately inform the recipient not to pass on the relevant information or discuss it with anyone else;
- Inform the recipient to immediately destroy or delete the personal data that they have received and get them to confirm in writing that they have done so;
- Explain to the recipient the implications if they further disclose the data;
- Immediately inform the DPO so that they can consider whether it is appropriate to inform the data subjects whose personal data is involved and/or the ICO.

### ***Risk Assessment***

When becoming aware of a personal data breach, the GTA is required to make an assessment of potential adverse or negative consequences for the individuals whose personal data is involved, this includes how serious or substantial these are and how likely they are to happen.

When assessing the risks associate with the breach, the DPO will consider the following questions:

1. What type of data is involved?
2. How sensitive is it?
3. If data has been lost or stolen, are there any protections in place such as encryption?
4. What has happened to the data?
5. Estimate how many individuals' personal data is affected by the breach
6. Who are the individuals whose data has been breached?
7. What harm can come to those individuals?
8. Are there wider consequences to consider such as a risk to public health or loss of public confidence in a service?
9. Is there a risk of reputation damage to the company?
10. Is there anything we can do to recover any losses and limit the damage the breach could potentially cause?

### ***Notifying the ICO and Individuals***

#### **a) Who is responsible?**

The DPO is responsible for notifying the ICO and individuals (where applicable) of relevant personal data breaches.

#### **b) What breaches do we need to notify the ICO about?**

When a personal data breach has occurred, we need to establish the likelihood and severity of the resulting risk to people's rights and freedoms. If it's likely that there will be a risk then we must notify the ICO; if it's unlikely then we don't have to report it. If we decide we don't need to report the breach, we need to be able to justify this decision, and we should document it.

### **c) When to notify the ICO and dealing with delays**

Notifiable breaches must be reported to the ICO without undue delay, but not later than 72 hours after becoming aware of it.

If we don't comply with this requirement, we must be able to give reasons for the delay.

In some instances it will not always be possible to investigate a breach fully within 72 hours to understand exactly what has happened and what needs to be done to mitigate it. Where that applies we should provide the required information to the ICO in phases, as long as this is done without undue further delay.

### **d) Breach information to the ICO**

When reporting a breach (which should be done by the DPM), we will provide the following information:

- a description of the nature of the personal data breach including, where possible:
  - the categories and approximate number of individuals concerned; and
  - and the categories and approximate number of personal data records concerned;
- the contact details of the DPO;
- a description of the likely consequences of the personal data breach; and
- a description of the measures taken, or proposed to be taken, to deal with the personal data breach, including, where appropriate, the measures taken to mitigate any possible adverse effects.

### **e) Individuals**

Where notification to individuals may also be required, the DPO will assess the severity of the potential impact on individuals as a result of a breach and the likelihood of this occurring. Where there is a high risk, we will inform those affected as soon as possible, especially if there is a need to mitigate an immediate risk of damage to them.

### **g) Information to individuals**

The DPO will consider who to notify, what we are going to tell them and how we are going to communicate the message. This will depend to a large extent on the nature of the breach but will include the name and contact details of the DPO or other relevant point of contact where more information can be obtained; a description of the likely consequences of the personal data breach; and a description of the measures taken, or proposed to be taken, to deal with the personal data breach and including, where appropriate, of the measures taken to mitigate any possible adverse effects.

The breach need not be reported to individuals if:

- We have implemented appropriate technical and organisational protection measures, and those measures were applied to the personal data affected by the personal data breach such that the data in question no longer identifies individuals;

- We have taken subsequent measures which ensure that the high risk to the rights and freedoms of data subjects is no longer likely to materialise;
- It would involve disproportionate effort (in this case a public communication may be more appropriate).

#### **h) Third parties**

In certain instances, the DPO may need to consider notifying third parties such as the police, insurers, professional bodies, bank or credit card companies who can assist in reducing the risk of financial loss to individuals.

#### **i) Document all decisions**

The DPM must document all decisions that we take in relation to security incidents and data breaches, regardless of whether or not they need to be reported to the ICO.

#### ***Evaluate the Response and Mitigation Steps***

The GTA will investigate the cause of any breach, decide on remedial action and consider how we can mitigate it. As part of that process, we also evaluate the effectiveness of our response to incidents or breaches. To assist in this evaluation, we consider:

- What personal data is held, where and how it is stored
- Risks that arise when sharing with or disclosing to others

This would also include checking the method of transmission to make sure it's secure and that we only share or disclose the minimum amount of data necessary

- Weak points in our existing security measures such as the use of portable storage devices or access to public networks
- Whether or not the breach was a result of human error or a systemic issue and determine how a recurrence can be prevented – whether this is through better processes, further training or other corrective steps
- Staff awareness of security issues and look to fill any gaps through training or advice
- The need for a Business Continuity Plan for dealing with serious incidents
- The group of people responsible for reacting to reported breaches of security

#### ***Procedure for review***

This policy will be updated as necessary to reflect best practice or future amendments made to the General Data Protection Regulation (GDPR) May 2018 and Data Protection Act 1998 (DPA), general regulation, ESFA and ESF funding guidance and policy.

Please follow this link to the ICO's website ([www.ico.gov.uk](http://www.ico.gov.uk)) which provides further detailed guidance on a range of topics including individuals' rights, exemptions from the Act, dealing with subject access requests, how to handle requests from third parties for personal data to be disclosed

etc. In particular, you may find it helpful to read the Guide to Data Protection which is available from the website.

For help or advice on any data protection or freedom of information issues, please do not hesitate to contact:

The Data Protection Officer (DPO): Jon Mace, Chief Executive [jonmace@doncastergta.co.uk](mailto:jonmace@doncastergta.co.uk) 01302 832831



## **Privacy Notice for Externally Funded Courses**

### **Introduction**

At the Doncaster, Rotherham and District Motor Trades GTA Ltd (GTA) we are committed to protecting and respecting your privacy. This policy explains when and why we collect personal information, how we use it, the conditions under which we may disclose it to others and how we keep it secure. For more detailed information please see the GTA's 'Data Protection Policy CP 07.08' which is available from our website or by writing to the address below.

By attending this privately funded training, you're agreeing to be bound by this policy. Any questions regarding this policy and our privacy practices should be sent by,

email to: admin@doncastergta.co.uk

or in writing to: Doncaster, Rotherham and District Motor Trades GTA Ltd  
Rands Lane Industrial Estate  
Armthorpe  
Doncaster  
DN3 3DY

Alternatively, you can telephone: 01302 832831

### ***How do we collect information from you?***

We might collect data from you when you contact us, either on the telephone, via email or application forms.

### ***What type of information is collected from you?***

- Contact details
- Photographic image
- Driver Licence Details
- Payment Details

### ***How is your information used?***

We will use your information to:

- complete an attendance certificate
- clarification of driving entitlement
- upload details to 3<sup>rd</sup> party awarding bodies (controllers)
- we might provide you with other goods or services to you or seek your views or comments on the services we provide - if you agree

- notify you of changes to our services
- send you communications which you have requested and that may be of interest to you

### ***What type of data is retained by the GTA?***

The data retained by the GTA can vary from course to course.

**Type of Data Retained (Table 1)**

Training Course	Contact details	Photographic image/s	Driver Licence Details	Record of Training	Customer Payment Details	Customer Invoice Details	Awarding body and/or 3 <sup>rd</sup> party data controller body
Driver CPC	✓		✓	✓	✓	✓	JAUPT
Transport Manager CPC	✓	✓	✓	✓	✓	✓	OCR
Forklift Operator	✓	✓		✓	✓	✓	RTITB
HIAB	✓	✓		✓	✓	✓	RTITB
Mobile Elevated Platforms (MEWP)	✓	✓		✓	✓	✓	RTITB
Rough Terrain Telescopic	✓	✓		✓	✓	✓	RTITB
ADR	✓	✓		✓	✓	✓	SQA
Dangerous Goods Safety Adviser(DGSA)	✓			✓	✓	✓	SQA
LGV Driver Training	✓			✓	✓	✓	DVSA
Digital Tachograph	✓			✓	✓	✓	None
Health and Safety	✓			✓	✓	✓	None
ATA Accreditation	✓	✓		✓	✓	✓	IMI

***Awarding body or 3<sup>rd</sup> party body privacy statement links***

JAUPT: <https://www.jaupt.org.uk/media/652932/fair-processing-notice.pdf>

OCR: <http://www.ocr.org.uk/about/our-policies/website-policies/privacy-policy/>

RTITB: <https://www.rtitb.com/privacy-policy/>

SQA: <https://www.sqa.org.uk/sqa/45397.html>

DVSA: <https://www.gov.uk/government/organisations/driver-and-vehicle-standards-agency/about/personal-information-charter>

IMI: <https://www.theimi.org.uk/landing/gdpr/>

### ***What is the length of time my data is retained by the GTA?***

The period of time that data is retained starts from the successful completion and close down of the course. We review our retention periods for personal information on a regular basis. We are legally required to hold some types of information, for example data about your training records and invoices for 7 years.

Contact details	Photographic image/s	Driver Licence Details	Record of Training	Customer Payment Details	Customer Invoice Details	Awarding body and/or 3 <sup>rd</sup> party body
1 year (if you approve or 6 months)	6 months	6 months	7 years	6 months	7 years	See each awarding bodies privacy policy

### ***Who has access to your information?***

Your information will be shared with the GTA administration, course delivery staff (trainers) and awarding bodies, as identified in the table on page 2 (Table 1). This enables the awarding bodies to be able to manage approved centres. The transfer and disclosure of personal data between our organisations is undertaken on a data controller to data controller basis. Both are separately responsible for complying with the obligations of the General Data Protection Regulation.

### ***How you can access and update your information?***

The accuracy of your information is important to us. If you would like to access to the data we hold on you please contact: Data Protection Officer (DPO) Jon Mace

jonmace@doncastergta.co.uk alternatively, you can telephone 01302 832831.

You have the right to ask for a copy of the information GTA hold about you.

You have the right to request that the data we hold on you is erased or rectified. For example, if you don't want us to use your information for views and comments on the services we provide, you can ask to have your contact details removed.

***How do I complain to the regulator?***

If you would like to complain about the way we handle data please visit:

<https://ico.org.uk/concerns/>

## **Privacy Notice for Apprenticeships**

### **Introduction**

At the Doncaster, Rotherham and District Motor Trades GTA Ltd (GTA) we are committed to protecting and respecting your privacy. This policy explains when and why we collect personal information, how we use it, the conditions under which we may disclose it to others and how we keep it secure, this policy applies to the apprentice, employer and training provider. For more detailed information please see the GTA's 'Data Protection Policy CP 07.08' which is available from our website or by writing to the address below.

### ***How do we collect information from you?***

We might collect data from you when you contact us, either on the telephone, via email or application forms. Much of the information we hold will have been provided by you, but some may come from other internal sources, such as your manager, or in some cases, external sources, such as referees.

If in the future we intend to process your personal data for a purpose other than reason for which it was collected we will provide you with information on that purpose and any other relevant information.

### ***What type of information is collected from you?***

The type of information we may hold could include, name, address, contact details, unique learner number, national insurance number, date of birth, prior achievement, initial assessments.

Where we process special categories of information relating to your racial or ethnic origin, political opinions, religious and philosophical beliefs, trade union membership, biometric data or sexual orientation, we will always obtain your explicit consent to those activities prior unless this is not required by law or the information is required to protect your health in an emergency.

### ***How is your information used?***

As an apprenticeship training provider, we need to keep and process information about you for the apprenticeship delivery requirements. The information we hold and process will be used for our management and administrative use only. We will keep and use it to enable us to run the apprenticeship programme and manage our relationship with you effectively, lawfully and appropriately, during the training needs analysis, recruitment process, and training at the time when your apprenticeship ends and after you have left. This includes using information to enable us to comply with the government body requirements, enabling us to comply with any legal requirements. If you do not provide this data, we may be unable in some circumstances to comply with our obligations and we will tell you about the implications of that decision.

You will, of course, inevitably be referred to in many company documents and records that are produced by you, your work colleagues and GTA staff in the course of the apprenticeship delivery. For further information which is available via our website or alternatively you can write to:

Data Protection Officer (DPO)  
Doncaster GTA  
Rands Lane Industrial Estate  
Armthorpe  
DN3 3DY

Where we are processing data based on your consent, you have the right to withdraw that consent at any time.

***What type of data is retained by the GTA?***

Other than as mentioned below, we will only disclose information about you to third parties if we are legally obliged to do so or where we need to comply with our contractual duties to you as part of the apprenticeship programme

- Apprentice application form
- Training Needs Analysis (TNA ADM6.1)
- Contract of training (Training Agreement ADM6.3/5)
- Interview records which may include CVs and assessments (H&S)
- Initial assessment & diagnostic
- Correspondence with or about you
- Medical questionnaire
- Training records (Individual Learning Agreement)
- Funding records (ILR) including employer contract, costings and agreements
- Certificates of achievement
- Contact and emergency contact details
- Records of holiday, sickness and other absence
- Information needed for equal opportunities monitoring
- On programme satisfaction surveys relating to apprenticeship delivery
- Disciplinary and grievance records

All projects under the ESF 2014-2020 Programme must ensure they keep all documents for 10 years after their final ESF claim is paid by the ESF Managing Authority.

This is to ensure documents may be made available to the European Commission and European Court of Auditors upon request in accordance with Article 140(1) of Regulation (EU) No 1303/2013.

***What is the length of time my data is retained by the GTA?***

The period of time that data is retained starts from the apprenticeship completion date; unless an employment dispute is raised, some related information may be kept for a long period of time. In these cases the individual/s will be contacted and informed.

	<b><i>6 months</i></b>	<b><i>1 year</i></b>	<b><i>31 Dec 2030</i></b>
Apprentice application form	✓		
Photographic evidence (compiled with training records)			✓
Training Needs Analysis (TNA ADM6.1)	✓		✓
Contract of training (Training Agreement ADM6.3/5)			✓
Interview and induction records which may include CVs and assessments (H&S)	✓		
Initial assessment & diagnostic evidence			✓
Correspondence with or about you	✓		
Medical questionnaire		✓	
Training records (ILA)			✓
Funding records (ILR) including employer contract, costings and agreements			✓
Certificates			✓
Contact and emergency contact details	✓		
Records of holiday, sickness and other absence	✓		
Information needed for equal opportunities monitoring	✓		
On programme satisfaction surveys relating to apprenticeship delivery	✓		
Disciplinary and grievance records		✓	

### ***Who has access to your information?***

Other than as mentioned below, we will only disclose information about you to third parties if we are legally obliged to do so or where we need to comply with our contractual duties to you.

Data retained	GTA Admin	GTA Trainer	Apprentice employer	Pellcomp Management System	Awarding Bodies (IMI, City & Guilds, OCR)	Education and Skills Funding Agency (ESFA)	National Apprenticeship Services (NAS)	Apprenticeship Certificates England (ACE)	Learner Record Services (LRS)	e-surveys	BKSB
Apprentice application form	✓		✓	✓	✓	✓	✓		✓		✓
Photographic evidence	✓										
Training Needs Analysis (TNA ADM6.1)	✓		✓								
Contract of training (Training Agreement ADM6.3/5)	✓	✓	✓	✓		✓					
Interview and induction records which may include CVs and assessments (H&S)	✓		✓								
Initial assessment & diagnostic	✓	✓		✓		✓					✓
Correspondence about you	✓	✓	✓								
Medical questionnaire	✓	✓									
Training records (ILA & portfolio)	✓	✓	✓	✓	✓	✓					
Funding records (ILR)	✓	✓				✓					
Certificates	✓	✓			✓	✓		✓			
Contact emergency contact details	✓	✓									
Records of holiday, sickness and other absence	✓		✓								
Information needed for equal opportunities monitoring	✓										
On programme satisfaction surveys relating to apprenticeship delivery	✓	✓								✓	
Disciplinary and grievance records	✓										



### ***Awarding body or 3<sup>rd</sup> party body privacy statement links***

PICS:	<a href="https://www.pellcomp.co.uk/privacy-policy/">https://www.pellcomp.co.uk/privacy-policy/</a>
OCR:	<a href="http://www.ocr.org.uk/about/our-policies/website-policies/privacy-policy/">http://www.ocr.org.uk/about/our-policies/website-policies/privacy-policy/</a>
IMI:	<a href="https://www.theimi.org.uk/landing/gdpr/">https://www.theimi.org.uk/landing/gdpr/</a>
C&G:	<a href="https://www.cityandguilds.com/help/privacy-statement">https://www.cityandguilds.com/help/privacy-statement</a>
ESFA:	<a href="https://www.gov.uk/government/publications/esfa-privacy-notice">https://www.gov.uk/government/publications/esfa-privacy-notice</a>
E-survey:	<a href="https://www.esurveycreator.co.uk/privacy">https://www.esurveycreator.co.uk/privacy</a>
BKSB:	<a href="https://www.bksb.co.uk/gdpr/">https://www.bksb.co.uk/gdpr/</a>

### ***How you can access and update your information?***

The accuracy of your information is important to us. If you would like to access to the data we hold on you please contact:

Data Protection Officer (DPO): Jon Mace [jonmace@doncastergta.co.uk](mailto:jonmace@doncastergta.co.uk)

email to: admin@doncastergta.co.uk

or in writing to: DPO, Doncaster, Rotherham and District Motor Trades GTA Ltd  
Rands Lane Industrial Estate  
Armthorpe  
Doncaster  
DN3 3DY

alternatively, you can telephone: 01302 832831

You have the right to ask for a copy of the information GTA holds about you

### ***How do I complain to the regulator?***

Under the General Data Protection Regulation (GDPR) and The Data Protection Act 2018 (DPA) you have a number of rights with regard to your personal data. You have the right to request from us access to and rectification or erasure of your personal data, the right to restrict processing, object to processing as well as in certain circumstances the right to data portability. You have the right to lodge a complaint to the Information Commissioners' Office if you believe that we have not complied with the requirements of the GDPR or DPA 18 with regard to your personal data.

If you would like to complain about the way we handle data please visit:

<https://ico.org.uk/concerns/>

## **Privacy Notice for Employees**

### **Introduction**

At the Doncaster, Rotherham and District Motor Trades GTA Ltd (GTA) we are committed to protecting and respecting your privacy. This policy explains when and why we collect personal information, how we use it, the conditions under which we may disclose it to others and how we keep it secure. For more detailed information please see the GTA's 'Data Protection Policy CP7.8' which is available from our website or by writing to the address below.

### ***How do we collect information from you?***

We might collect data from you when you contact us, either on the telephone, via email or application forms. Much of the information we hold will have been provided by you, but some may come from other internal sources, such as your manager, or in some cases, external sources, such as referees.

If in the future we intend to process your personal data for a purpose other than reason for which it was collected we will provide you with information on that purpose and any other relevant information.

### ***What type of information is collected from you?***

The type of information we hold includes your application form and references, your contract of employment and any amendments to it; correspondence with or about you, for example letters to you about employment changes or, at your request, a letter to your mortgage company confirming your salary; information needed for payroll, benefits and expenses purposes; contact and emergency contact details; records of holiday, sickness and other absence; information needed for equal opportunities monitoring policy; and records relating to your career history, such as training records, appraisals, other performance measures and, where appropriate, disciplinary and grievance records.

In addition, we monitor computer use, as detailed in our computer/telephone/electronic communications policy CP3.1 Internet Usage Policy, available on the company intranet. We also keep records of your hours of work by way of our staff sign in sheet, as detailed in the company handbook.

Where we process special categories of information relating to your racial or ethnic origin, political opinions, religious and philosophical beliefs, trade union membership, biometric data or sexual orientation, we will always obtain your explicit consent to those activities prior unless this is not required by law, or the information is required to protect your health in an emergency.

### ***How is your information used?***

As your employer, the Company needs to keep and process information about you for normal employment purposes. The information we hold and process will be used for our management and administrative use only. We will keep and use it to enable us to run the business and manage our relationship with you effectively, lawfully and appropriately, during the recruitment process, whilst you are working for us, at the time when your employment ends and after you have left. This includes using information to enable us to comply with the employment contract, any legal requirements, pursue the legitimate interests of the Company and protect our legal position in the event of legal proceedings. If you do not provide this data, we may be unable in some circumstances to comply with our obligations and we will tell you about the implications of that decision.

You will, of course, inevitably be referred to in many company documents and records that are produced by you and your colleagues in the course of carrying out your duties and the business of the company.

DPO  
Doncaster GTA  
Rands Lane Industrial Estate  
Armthorpe  
DN3 3DY

You have the right to withdraw that consent at any time.

**What type of data is retained by the GTA?**

Other than as mentioned below, we will only disclose information about you to third parties

	3 <sup>rd</sup> party data Controller
Contract of employment and any amendments to it	
Interview records which may include CVs and assessments	✓
Correspondence with or about you	
Information needed for payroll, benefits, pension and expenses purposes	✓
Employee medical questionnaire	
Contact and emergency contact details	
Records of holiday, sickness and other absence	✓
Information needed for equal opportunities monitoring policy	
Records relating to your career history, such as training records, appraisals	
Performance measures	
Disciplinary and grievance records	

**Who has access to your information?**

	Senior Departmental Managers	Chief Executive Director Level
Contract of employment and any amendments to it		✓
Interview records which may include CVs and assessments	✓	✓
Correspondence with or about you	✓	✓
Information needed for payroll, benefits, pension and expenses purposes		✓
Employee medical questionnaire		✓
Contact and emergency contact details	✓	✓
Records of holiday, sickness and other absence		✓
Information needed for equal opportunities monitoring policy		✓
Records relating to your career history, such as training records, appraisals	✓	✓
Performance measures	✓	✓
Disciplinary and grievance records		✓

### ***How can you access and update your information?***

The accuracy of your information is important to us. If you would like to access to the data we hold on you please contact:

Data Protection Officer (DPO) Jon Mace [jonmace@doncastergta.co.uk](mailto:jonmace@doncastergta.co.uk) 01302 832831

email to: admin@doncastergta.co.uk

or in writing to: DPO, Doncaster, Rotherham and District Motor Trades GTA Ltd  
Rands Lane Industrial Estate  
Armthorpe  
Doncaster  
DN3 3DY

alternatively, you can telephone: 01302 832831

You have the right to ask for a copy of the information GTA holds about you

### ***How do I complain to the regulator?***

Under the General Data Protection Regulation (GDPR) and The Data Protection Act 2018 (DPA) you have a number of rights with regard to your personal data. You have the right to request from us access to and rectification or erasure of your personal data, the right to restrict processing, object to processing as well as in certain circumstances the right to data portability. You have the right to lodge a complaint to the Information Commissioners' Office if you believe that we have not complied with the requirements of the GDPR or DPA 18 with regard to your personal data.

If you would like to complain about the way we handle data please visit:

<https://ico.org.uk/concerns/>

## GTA Data Encryption Policy

### Introduction

The GDPR applies to 'personal data' meaning any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier.

*This includes any information relating to a living, identified or identifiable natural person.*

This could be directly (e.g. a person's name) or indirectly (e.g. the owner of that business). The definition of personal data applies to any piece of information which can be used to identify an individual, based on 'all means reasonably likely to be used'.

There are four identified levels:

**Level 3:** The most sensitive employee and company information

**Level 2:** Personal data relating to staff performance, assessments, surveys and complaints

**Level 1:** Name, address, date of birth, bank details of customers

**Safeguarding Level:** Information relating to safeguarding disclosures, reports, concerns etc.

Access level:

	Level 1	Level 2	Level 3	Level Safeguarding
GTA administration	✓			
GTA trainer	✓			
GTA director			✓	✓
GTA senior manager		✓		
One extra category – GTA safeguarding				✓

Email content example:

GTA Administration

GTA Trainer

GTA Director

One extra category – GTA Safeguarding

Data that contains personal information must be encrypted if sent via email

**Monthly internal sent via Teams report, examples:**

ALN reports  
Cohort reports  
FEED Lists  
Functional Skills exemptions  
Learner Progress updates  
Any other identifiable learner data

**Scanned documents, examples:**

Certificates  
TNA's  
Training Agreements  
BKSB Results  
CV's

**Naming reports:**

Staff will be informed on an individual basis for further guidance

**Passwords:**

Staff will be informed on an individual basis for further guidance

**Sharing passwords:**

If the document needs to be shared with others, you must communicate the passphrase using a mechanism which is different to the way you are sharing the file. For example, if you email an encrypted document, communicate the passphrase by telephone or SMS.