

Equalitas Professional Services Limited is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the UK General Data Protection Regulation (GDPR) and Data Protection Act 2018 (the “Data Protection Legislation”).

It applies to all:

- Apprenticeships enrolled on any of our apprenticeship programmes
- Applicants to any of our apprenticeship programmes
- Individuals expressing an interest in apprenticeship training through recruitment events
- Individuals expressing an interest in an apprenticeship through email, website or phone enquiry

Please note that this privacy notice does not apply to trainees on our ITT programmes, who should refer to the Trainee privacy Notice.

1. Equalitas is a “data controller”

Equalitas provides apprenticeship training and must process personal data (including sensitive personal data) so that it can provide these services. In doing so, Equalitas acts as a data controller.

As a data controller, Equalitas is responsible for deciding how personal information about you is held and used.

We are required under data protection legislation to notify you of the information contained in this privacy notice.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

We may amend this notice at any time.

2. Data protection principles

We will comply with the Data Protection Legislation. Under GDPR, the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.

6. Kept securely.

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

3. What information do we hold about you?

We may collect, store and use the following categories of personal information about you.

Identity and contact information, including:

- Name
- previous names
- date of birth
- home address
- email address
- telephone number
- National Insurance number
- Unique Learner Number (ULN)
- teacher reference number (where applicable)

Application information, including:

- qualifications
- employment history
- prior learning
- references
- CV
- supporting statements
- interview notes
- eligibility information
- residency and right-to-work evidence
- nationality
- Gender
- marital status
- care leavers status
- learning support requirements
- We may also access your Personal Learning Record (PLR) through the Learning Records Service to verify your identity, prior learning, qualifications, previous achievement and eligibility for apprenticeship funding.

Apprenticeship information, including:

- Employer and employment details
- attendance records
- off-the-job training records
- learning progress
- assessments
- achievement records
- reviews
- functional skills information where applicable
- Photographs and video recordings

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about your race, ethnicity and national identity
- Information about your health, including any medical condition, health and sickness records
- Criminal convictions and barred list information

4. How we collect your personal information

We collect personal information through the application, recruitment and selection process, either directly from individuals, through the application process, or from employing schools. We will collect additional personal information during the course of training-related activities throughout the period of your training with us. We may collect video recordings via IRIS Connect.

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

5. How we will use information about you

We use your personal data to:

- assess your application
- determine eligibility for the apprenticeship
- enrol you onto the programme
- deliver teaching, learning and assessment
- monitor attendance, progress and achievement
- provide learner support
- make reasonable adjustments where appropriate
- comply with apprenticeship funding requirements
- verify your eligibility for funding
- check your Personal Learning Record (PLR), where permitted, to verify your prior learning,

qualifications and apprenticeship eligibility

- maintain evidence required under apprenticeship funding rules
- respond to funding assurance, audit or compliance activity undertaken by government or its authorised representatives
- maintain learner records
- communicate with you
- safeguard learners
- meet our legal and regulatory obligations
- improve the quality of our programmes
- investigate complaints or concerns
- prevent fraud and protect public funds
- photographs and video recordings of training events and conferences may be used on our website and social media accounts to market the programme

6. The lawful basis upon which we process this information

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to perform the contract we have entered into with you
- Where we need to comply with a legal obligation
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests. It is in the legitimate interests of all parties involved – Equalitas, you and schools – that Equalitas can process personal data.

We may also use your personal information in the following situations, which are likely to be rare:

- Where we need to protect your interests (or someone else's interests).
- Where it is needed in the public interest or for official purposes.

7. If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to provide our services to you, or perform the contract we have entered into with you (such as giving you access to our apprenticeship programmes) or we may be prevented from complying with our legal obligations.

8. Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

9. Consent

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law.

In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

10. Data sharing

We may have to share your data with third parties, including third-party service providers, where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so. As an apprenticeship training provider, we are required to submit learner information through the Individualised Learner Record (ILR) and other data returns required under apprenticeship funding rules to the UK Government department responsible for apprenticeships and skills funding (currently the Department for Work and Pensions (DWP)), together with any authorised agencies acting on its behalf.

This includes:

- your employer
- the UK Government department responsible for apprenticeships and skills funding (currently the Department for Work and Pensions (DWP))
- the Individualised Learner Record (ILR) and associated government data collection systems awarding organisations
- End-Point Assessment Organisations (EPAOs)
- external quality assurance bodies where applicable
- Ofsted
- the Office of the Independent Adjudicator (OIA) where applicable
- placement providers
- subcontractors or delivery partners acting on our behalf
- auditors and funding assurance bodies
- Regulatory authorities
- law enforcement agencies where required by law

- Tutors involved in the provision of your training
- Third parties which provide, host and support our IT systems and software (subject to appropriate security measures).

All our third-party service providers are required to process the data lawfully and fairly and in a manner that ensures appropriate security of the data, using appropriate technical or organisational measures to protect against unauthorised or unlawful processing and accidental loss.

We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions. We will not share any of the information we have received with any third parties for marketing purposes.

11. Transferring information outside the UK

We will ensure that your personal information receives an adequate level of protection and is treated by those third parties in a way that is consistent with and which respects the UK laws on data protection.

12. Security

We have appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. The information we receive will be held securely by us and any of our data processors whether the information is in electronic or physical (paper) format.

In addition, we limit access to your personal information to those third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

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

13. Data retention

We retain personal information only for as long as necessary to fulfil the purposes for which it was collected and to comply with legal, funding and regulatory requirements.

Retention periods are determined in accordance with our Records Retention Policy and applicable apprenticeship funding, audit and statutory requirements.

When information is no longer required, it is securely destroyed or anonymised.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those

purposes through other means, and the applicable legal requirements.

14. Rights of access, correction, erasure, and restriction

It is important that the personal information we hold about you is accurate and current.

Please keep us informed if your personal information changes during your working relationship with us.

Under certain circumstances, by law you have the right to:

- Request access to your personal information (commonly known as a “data subject access request”).
- Request correction of the personal information that we hold about you.
- Request erasure of your personal information.
- Object to processing of your personal information.
- Request the restriction of processing of your personal information.
- Request the transfer of your personal information to another party.
- Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.

If you have a concern about the way that Equalitas is collecting or using your personal data, you can raise a concern with the Information Commissioner’s Office (ICO). The ICO can be contacted on 0303 123 1113, Monday-Friday 9am-5pm.

15. Contact

For further information about your rights, or if you have any questions about this privacy notice or how we handle your personal information, please contact Data Protection Officer at DPL@e-qualitas.co.uk

You have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues.