



Privacy Policy Statement

1. Who do ACO collect data from and why?

ACO collects data from its potential learners, on programme learners, employers and staff, to be able to provide training services and respond to queries.

ACO will not disclose any information that is provided 'in confidence' to us, to anyone else without permission, except in situations where disclosure is required by law, or where we have good reason to believe failing to share the information will put someone else at risk. We will not process any data relating to a child (under 13) without parental or guardian consent of the child concerned.

'**Personal data**' is any information relating to a living individual, and '**processing**' is any activity carried out involving personal data, including holding and storing it. This statement applies under both the DPA and GDPR or any successor legislation to the GDPR or the DPA.

2. Who is the Data Controller?

ACO Training Limited is the Data Controller (for private learners) and is committed to protecting the rights of individuals in line with the Data Protection Act 2018 (DPA) and the UK General Data Protection Regulations 2018 (GDPR). ACO complies by keeping personal data secure and confidential using measures such as secure log ins, passwords, locks, restricted and controlled access to information only, and by being Cyber Essentials Plus compliant. Data is checked for accuracy and to ensure it is up to date and is stored by the length of time determined by Welsh Government as appropriate, depending on how funded or route of training.

ACO can process information in accordance with GDPR Article 6(1) (a), (b) and (e) in particular where:

- processing is with consent of the data subject; or
- processing is necessary for compliance with a legal obligation; or
- processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in ACO as Data Controller.

3. Why do ACO need this data?

In order for ACO to provide its training services, we are required to collect and use appropriate personal data/special category data as part of the enrolment process to ensure the learners eligibility and suitability for the training programme. This information is mostly collected and stored through our secure digital system (Smart Assessor) but could also be collected on paper, by telephone, email, or by using video footage including photographic and digital images, or in person by a member of ACO's staff.

Examples of ACO using data include:

- a) To provide the training service you requested and communicate with you.
- b) To contact individuals who declare a disability to confidentially discuss support.
- c) To provide progress/attendance reports to employers where appropriate (except relatives).
- d) To provide information to education institutions and employers, usually with consent.
- e) To promote ACO Training with the consent of the learner if personally identified.
- f) For the purpose of entering learners for external qualifications, awards and competitions, usually with the consent of the learner.
- g) To supply personal and financial details, for example, for the payment of learning allowances or similar payments like travel.
- h) To disclose information to external parties for safeguarding and duty of care purposes, for example, to medical practitioners and law enforcement agencies.
- i) To register with the appropriate Sector Skills Councils in order to apply for the apprenticeship completion certificate on a learner's behalf.
- j) To enable Disclosure and Barring Service (DBS) checks to be conducted on staff with the disclosure and barring service and to register staff with the EWC (Education Workforce Council).
- k) To ensure we meet our legal obligations and to prevent and detect fraud or crime.
- l) To allow statistical analysis of data so we can plan for the provision of services.
- m) Publication of names of learners in award ceremony paperwork.

Attendance Records

For some learners, ACO may require learners to participate in its attendance monitoring system. For some learner groups, it is a contractual requirement that ACO monitors attendance (for example for learners receiving funding or travel allowance and there may be a requirement to report non-sponsors i.e. Funding bodies. Attendance records also help ACO in its duty of care, ensuring we are aware when learners are attending the centre and support provisions.

Learner Feedback

You may from time to time be asked to complete surveys for ACO Training and this information will be used only for the purpose of evaluation and then deleted within 3 months of the data being produced.

4. Who does ACO share this data with?

ACO may have to share or confirm personal information with other parties; if we need to do this, we will make it clear to you on a form, letter or email you complete to provide your information.

We will only share information when it is fair and lawful to do so. Examples of who we might share data with include Welsh Government, who provide funding for Work based learning programmes or Awarding Bodies to ensure people can receive certificates for qualifications.

Your information will not be passed on to organisations external to ACO for marketing or sales purposes or for any commercial use. ACO will not pass any of your personal information on to third parties, other than those who either process information on our behalf, or because of a legal requirement.

Emails ACO receive from you may be used to keep a record of your contact and your email address. For security reasons we will not include any confidential information about you in any email we send to you, unless you consent to this.

If you give us information about your disability status, ethnicity, sexual orientation, gender reassignment or religion these may be shared with your funding providers and used to assist with monitoring equality of opportunity and eliminating unlawful discrimination in accordance with the Equality Act 2010.

Learners should also be aware that, in certain circumstances, ACO may monitor usage of its IT systems and access user information, on its systems and networks, that is normally private. Any institutional monitoring or access will comply with UK legislation including the Regulation of Investigatory Powers Act 2000, Human Rights Act 1998, and the Data Protection Act 2018 and GDPR. Where necessary any access or monitoring of IT by our IT provider will be justifiable, fair and proportionate, and will be in line with ACO's privacy policy.

5. Can I access the data held?

You have the **right to access your personal data held by ACO**, the right to object to the processing of your personal information, the right to rectify or erase or restrict and to port personal information and the right to withdraw consent given.

You can **make requests regarding information verbally or in writing**, by contacting the Data Protection Officer on admin@aco-training.co.uk or by calling 01792 650293 or in writing to the Data Protection Representative, ACO Training Limited, 1st Floor, 11 College Street, Swansea SA1 5AF.

ACO will provide a copy of the information free of charge, unless a request is unfounded, excessive, repetitive or for further copies of the same information (that has previously been provided) – in which case a reasonable charge would be applied.

ACO will provide information **without delay and at least within 28 days**. (If the information requested is complex or for numerous requests, this could take up to two months – if this is the case, you would be informed). ACO will need to verify the identity of the person making the request, using "reasonable means". If the request is made electronically, the information

response will be provided electronically in a commonly used electronic format and encrypted if necessary.

Should an individual not be satisfied with their response they can report to the Information Commissioner's Office (**ICO**), 2nd floor, Churchill House, 17 Churchill Way, Cardiff CF10 2HH or email: wales@ico.org.uk www.ico.org.uk.

8 Guiding Principles

ACO Training Limited adhere to the principles of GDPR/DPA 2018 as shown below. Data must be:

- Obtained fairly and lawfully.
- Used only for specified and legitimate purposes.
- Kept accurate and up to date.
- Held securely.
- Kept to the minimum possible / anonymised or pseudonymised where possible
- Not published or taken out of the European Economic Area without consent
- Deleted or destroyed when it is not relevant to retain
- The individuals, about whom data is held, are entitled to inspect the data unless it is only for research and will not be released in such a way as to identify the individuals concerned

6. Privacy Notices

ACO are required to show you the following privacy notices if you are starting/currently on a programme -

- ACO Privacy Policy Statement (private learners) (this policy statement)
- SAW Privacy Notice (Apprenticeship learners only)
- LLWR Privacy Notice (Apprenticeship learners only)
- LRS Privacy Notice (Apprenticeship and private learners)

ACO ask that these privacy notices are read and signed/acknowledged at start of a learning programme to ensure any learners are aware where we share data collected. For apprentices, we also ask for consent for marketing and to sign a media disclaimer within the start paperwork. If this is consented to and at any time a learner decides to change that decision, it can be revoked by speaking to the Data/Finance Co-ordinator. To revoke the consent the learner will be asked to sign a 'Change of Circumstance form' and the GDPR tab on the Matyas system will be updated accordingly.

All above stated Privacy notices are embedded in induction paperwork for Work based Learning Learners. All other (private learners) will have access to the ACO Privacy Policy Statement and the LRS Privacy Notices through the Smart Assessor system.

7. Review & Monitoring

This policy will be reviewed by ACO Training Management.

This policy will be reviewed annually or when an appropriate update is required.