



**LEARNER AND APPRENTICE PRIVACY POLICY**

Document control

Audience	Internal colleagues, External colleagues, Customers, Apprentices, External Quality Assurance bodies and regulators
Application	This policy applies to all Achieve+Partners personnel including independent assessors, quality assurers and moderators
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Responsibility	The Operations Director is responsible for the implementation of the policy and maintenance of all controlled documents

Document change record

Changes to specific sections of the document are listed below:

Page	Section	Change
None to date		



## SECTION 1: POLICY

### 1.1 Introduction

Achieve+Partners is an awarding organisation and end-point assessment organisation and is registered as a data user with the Data Protection Registrar. This privacy policy sets out how members of Achieve+Partners will treat learner personal data.

Please read this policy carefully as it contains important information on who we are, how and why we collect, store, use and share learner personal data, learner rights in relation to your personal data, how to contact us, and how to contact supervisory authorities in the event that you would like to report a concern about the way in which we process your personal data.

### 1.2 Purpose

This policy sets out Achieve+Partners specific approach to how and why we collect, store, use and share learner personal data, learner rights in relation to your personal data.

### 1.3 Scope

This policy is relevant to all key stakeholders engaged in the implementation of Achieve+Partners end-point assessments and learners and apprentices registered for Achieve+Partners qualifications and end-point assessment services.

### 1.4 Achieve+Partners

For the purposes of the Data Protection Act 2018 Achieve+Partners is the 'controller' of learner personal data. Achieve+Partners is a private company limited by guarantee registered in England & Wales (10286568). Our registered address is 2 Clifton Moor Business Village, James Nicholson Link, York, YO30 4XG.

If you have any queries about this Policy, the way in which we process personal data, or about exercising any of your rights, please send an email to [info@achievepartners.co.uk](mailto:info@achievepartners.co.uk)



### 1.5 What personal data do we collect?

We collect your full name, gender, and date of birth. We may also collect other personal data if required to administer our quality assurance processes, investigations, complaints and appeals. This personal data is provided to us by approved centres, employers, training providers or other industry bodies you have registered with to receive learning, assessment, and/or certification products and/or services provided by us.

In exceptional circumstances, we may be provided with sensitive personal data, such as information about your physical or mental health or condition, to enable us to administer requests for reasonable adjustments or sensitive personal data relating to an investigation, complaint, or appeal. Such information should only be provided to us if you have provided your explicit consent to the organisation sharing such sensitive personal data with us.

### 1.6 How do we use your personal data?

We may use your personal data where this is necessary to pursue our legitimate interests as a provider of assessment and certification products and/or services, including to:

- + provide you with products and/or services which you have registered, or have been registered, for;
- + undertake administration in relation to products and/or services which you have registered for;
- + provide you with a certificate, credential or other record of learning;
- + contact you directly in relation to our quality assurance processes, investigations, appeals, and complaints;
- + contact you directly in relation to new and existing products, services, news, awards and events offered by Achieve+Partners;
- + assess and provide reasonable adjustments in relation to your learning or assessment where requested.

We may also process your personal data if required by law, including to respond to requests by government or law enforcement authorities, or for the prevention of crime or fraud.

### 1.7 Who do we share your personal data with?

- + We may share your personal data with relevant third parties, where necessary, in relation to your learning, assessment, or certification, including:
- + regulatory authorities, Office of Qualifications and Examination Regulations (Ofqual), and other government and educational organisations; potential employers and other relevant organisations where necessary for the fulfilment of obligations;



- + consortiums, authorised representatives, and partners; and
- + centres, employer providers, training providers and similar third parties.

We may also share your personal data with trusted third-party service providers including:

- + legal and other professional advisers, consultants, and professional experts; and
- + service providers contracted to us in connection with provision of learning, assessment, and training products and services such as markers, moderators, assessors, certification or credentialing providers, IT services and customer relationship management services.

We will ensure there is a contract in place with such third parties which include obligations in relation to the confidentiality, security, and lawful processing of any personal data shared with them.

We take all reasonable steps to ensure that our staff protect your personal data and are aware of their information security obligations. We limit access to your personal data to those who have a genuine business need to know it.

We may also share personal data with law enforcement or other authorities if required by applicable law.

### **1.8 How long will we keep your personal data?**

We will retain personal data relating to your learning, assessment, and certification to enable us to provide information about your learning or a replacement certificate. We will continue to hold data electronically after a learner has finished the qualification for a period of ten years.

We will retain personal data relating to our quality assurance processes, appeals, or investigations for a maximum period of ten years to ensure we are able to comply with any contractual, legal, audit and other regulatory requirements, or any orders from competent courts or authorities.

### **1.9 Where do we store your personal data and how is it protected?**

We take reasonable steps to protect your personal data from loss or destruction. We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.



## 1.10 Your rights

Under the Data Protection Act 2018, you have various rights with respect to our use of your personal data:

### 1.10.1 Right to Access

You have the right to request a copy of the personal data that we hold about you. Requests must be made in writing to [info@achievetpartners.co.uk](mailto:info@achievetpartners.co.uk). Learners will be sent all personal data information that Ach1eve + Partners holds. Achieve+Partners will acknowledge receipt of the request within 5 working days and aims to complete the request within 28 days.

### 1.10.2 Right to rectification

Achieve+Partners takes all reasonable steps to ensure accuracy of personal information held. Where this is not the case requests to update personal data must be made in writing to [info@achievetpartners.co.uk](mailto:info@achievetpartners.co.uk). Achieve+Partners will acknowledge receipt of the request within 5 working days and aims to confirm that the data is accurate and to rectify the data, if necessary, within 28 days.

### 1.10.3 Right to erasure

You have the right to request the deletion of your personal data where, for example, the personal data are no longer necessary for the purposes for which they were collected, where you withdraw your consent to processing, where there is no overriding legitimate interest for us to continue to process your personal data, or your personal data has been unlawfully processed. If you would like to request that your personal data is erased, requests must be made in writing to [info@achievetpartners.co.uk](mailto:info@achievetpartners.co.uk).

### 1.10.4 Right to object

In certain circumstances, you have the right to object to the processing of your personal data where, for example, your personal data is being processed on the basis of legitimate interests and there is no overriding legitimate interest for us to continue to process your personal data, or if your data is being processed for direct marketing purposes. If you would like to object to the processing of your personal data, requests must be made in writing to [info@achievetpartners.co.uk](mailto:info@achievetpartners.co.uk).



### 1.10.5 Right to restrict processing

In certain circumstances, you have the right to request that we restrict the further processing of your personal data. This right arises where, for example, you have queried the accuracy of the personal data we hold about you and we are verifying the information, you have objected to processing based on legitimate interests and we are considering whether there are any overriding legitimate interests, or the processing is unlawful and you elect that processing is restricted rather than deleted, requests must be made in writing to [info@achievepartners.co.uk](mailto:info@achievepartners.co.uk).

### 1.10.6 Right to data portability

In certain circumstances, you have the right to request that some of your personal data is provided to you, or to another data controller, in a commonly used, machine-readable format. This right arises where you have provided your personal data to us, the processing is based on consent or the performance of a contract, and processing is carried out by automated means. If you would like make such request, requests must be made in writing to [info@achievepartners.co.uk](mailto:info@achievepartners.co.uk).

Please note that the Data Protection Act 2018 sets out exceptions to these rights. If we are unable to comply with your request due to an exception, we will explain this to you in our response.

### 1.11 Contact

If you have any queries about this Policy, the way in which Achieve+Partners processes personal data, or about exercising any of your rights, please send an email to [info@achievepartners.co.uk](mailto:info@achievepartners.co.uk).

### 1.12 Complaints

If you believe that your data protection rights may have been breached, and we have been unable to resolve your concern, you may lodge a complaint with the applicable supervisory authority or to seek a remedy through the courts. Please visit the UK [Information Commissioner's Office website](#) for more information on how to report a concern.