



## DATA PROTECTION POLICY

### Document control

Audience	Internal colleagues, External colleagues, Customers, External Quality Assurance bodies and regulators
Application	This policy applies to all Achieve+Partners personnel and bodies that work it
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Responsibility	The Managing Director is accountable for ensuring the implementation of this policy. The Operations Director is responsible for carrying out the requirements of this policy. The Operations Director is the Achieve+Partners Data Protection Officer.

### Document change record

Changes to specific sections of the document are listed below:

Page	Section	Change
2	1	Replaced GDPR with UK GDPR



## SECTION 1: POLICY

### 1.1 Introduction

Achieve+Partners takes its responsibilities with regard to the management of the requirements of the Data Protection 1998 Act very seriously. This policy sets out how Achieve+Partners manages those responsibilities.

### 1.2 Purpose

The purpose of this policy is to assist Achieve+Partners to meet its legal obligations under the Data Protection 1998 Act and the UK GDPR. It describes the duties of everyone working at Achieve+Partners and the rights of access by individuals to their personal data. This policy also sets out the data protection principles which Achieve+Partners must comply with when processing personal data.

### 1.3 Scope

This policy applies to all personal data we process regardless of the location where that personal data is stored (e.g. on an employee's own device) and regardless of the data subject. All staff and others processing personal data on Achieve+Partners' behalf must read it. A failure to comply with this policy may result in disciplinary action.

Achieve+Partners Limited is a professional apprenticeship end-point assessment organisation and is registered as a data user with the Data Protection Registrar.

### 1.4 Arrangements

The following arrangements are in place to ensure that the various types of data Achieve+Partners holds is protected.

#### Employees and contractors

##### Applications

Data from all applications made to Achieve+Partners for advertised job roles including directors, employees, consultants, examination markers, question setters, committee members and independent assessors is kept securely and will be kept no longer than necessary. The information is used for Achieve+Partners to create a computer record of the application and to enable the application to be processed and to monitor fair access information.



### Employee information

Achieve+Partners holds data in relation to its employees for the period of time that individual is in employment. Data includes personal information, payroll, training records, declarations, performance management records, DBS certificate information and other related information. This information is held securely with restricted access. The employee can access or request access to this information at any time. Payroll and counts information are held securely on the company online accounts software. Access is restricted to the accountant and senior management team.

Once an employee leaves the business all sensitive personal data will be destroyed. A record of the employee will be held for a period of 5 years.

### Contractor information

Achieve+Partners holds data in relation to its contractors for the period of time that individual is contracted. Data includes personal information, training records, performance management records, DBS certificate information, CV, Qualification certificate copies and declarations made to confirm conflicts of interest. This information is held securely with restricted access.

Once a contractor ceases work with the business all sensitive personal data will be destroyed. A record of the contractor will be held for a period of 5 years.

### Learner data

Achieve+Partners collects, stores and processes personal data about learners for the purpose of administering and managing apprenticeship end-point assessment. Achieve+Partners will continue to hold data electronically after a learner has finished the apprenticeship for a period of 10 years. Our Lawful Basis for processing this information is legitimate interest for the purpose of administering and managing apprenticeship end-point assessment. Paper copies will be electronically scanned before being securely destroyed within 1 month of receipt.

This information may be disclosed to the Office of Qualifications and Examination Regulations (Ofqual), Education & Skills Funding Agency (ESFA) and other government and educational organisations potential employers and other relevant organisations where necessary for the fulfilment of obligations.

### Learner assessment materials

Paper versions of Learners' examination answer books and other assessment materials, which have been submitted to and marked by Achieve+Partners, will be kept for a maximum period of 1 year, ideally these will



be returned to the learner on completion of marking. This information can only be identified by a unique learner number. Where this data is stored electronically as part of the learners' record Achieve+Partners will continue to hold data electronically after a learner has finished the apprenticeship for a period of 10 years.

### **Customer information**

Customer application information (e.g. signed agreements, staff and qualification approval applications) are kept as electronic copies for the period that a customer is working with Achieve+Partners, they are then archived and stored for a further 3 years. Paper copies will be electronically scanned before being securely destroyed within 1 month of receipt. Our Lawful Basis for processing this information is legitimate interest for the purpose of administrating and managing apprenticeship end-point assessment.

This information may be disclosed to the Office of Qualifications and Examination Regulations (Ofqual), Education & Skills Funding Agency (ESFA) and other government and educational organisations, and other relevant organisations where necessary for the fulfilment of obligations.

### **Customer personnel**

Achieve+Partners collects, stores and processes personal data about customers employees. This is kept as an electronic copy for the period that a customer is working with Achieve+Partners they are then archived and stored for a further 3 years. Paper copies will be electronically scanned before being securely destroyed within 1 month of receipt. The information is kept securely and will be kept no longer than necessary. Our Lawful Basis for processing this information is legitimate interest for the purpose of administrating and managing apprenticeship end-point assessment.

### **Marketing and communications**

Personal data including names, emails, employer and telephones is held by Achieve+Partners for marketing and sales purposes, this includes, for example, electronic newsletters, enquiries and event bookings.

Our Lawful Basis for processing this information is consent.

All marketing contacts are asked to positively opt-in and may withdraw their consent at any time without detriment. Achieve+Partners will review consent bi-annually and will keep records of when and how we received consent.



All sales contacts are asked to positively opt-in and may withdraw their consent at any time without detriment. Achieve+Partners will review consent bi-annually and will keep records of when and how we received consent.

Achieve+Partners has provided details on the terms of use and use of cookies on the website. Both of these documents can be found under the Policies tab at [achievepartners.co.uk](https://achievepartners.co.uk).

### **1.5 Data security**

Achieve+Partners data is held securely electronically with access for those Achieve+Partners employees needing to use the data. When data is no longer required it will be securely deleted or destroyed, as appropriate.

### **1.6 Confidentiality**

Achieve+Partners employees are fully aware of the confidential nature of much of their work and confidentiality is an element of the standard contract of employment a breach of which is considered to be gross misconduct.

During the time anyone working with Achieve+Partners or with any of its agencies and stakeholders as part of their duties, may have access to confidential information that can identify a student, another member of staff and/or business in confidence information about the Company.

This type of information should not be disclosed to any person outside of the normal working environment, particularly non-employees. If there is a need to disclose/share confidential information in pursuit of working duties, permission will be granted to do this by the Responsible Officer, and this will be done so within legal and regulatory requirements.

### **1.7 Withdrawal of consent**

Where consent to hold someone's personal data for marketing or sales purposes is withdrawn the Operations Director is responsible for ensuring that all personal data held for that person is deleted and all Achieve+Partners employees will be asked to do the same. This will be completed within 15 working days of the receipt of the request.

### **1.8 Accuracy of Data - 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@achievepartners.co.uk](mailto:info@achievepartners.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.

### 1.9 Request to access personal data Achieve+Partners holds

Requests must be made in writing to [info@achievepartners.co.uk](mailto:info@achievepartners.co.uk). A report on all personal data information that Achieve+Partners holds will be emailed to the requester. Achieve+Partners will acknowledge receipt of the request within 5 working days and aims to complete the request within 28 days.

### 1.10 Maintaining confidentiality of assessment materials

Where confidentiality in –

- a) the contents of assessment materials, or
- b) information about the assessment,

is required in order to ensure that an end-point assessment (EPA) which an EPAO makes available, or proposes to make available, reflects an accurate measure of attainment, Achieve+Partners will take all reasonable steps to ensure that such confidentiality is maintained.

Achieve+Partners will –

- + take all reasonable steps to ensure that such confidentiality is maintained where it (or any person connected or previously connected to Achieve+Partners) provides training or training materials in relation to EPA,
- + not provide or endorse any prohibited training, and
- + take all reasonable steps to ensure that any person connected or previously connected to it does not provide or endorse any prohibited training. ‘Prohibited training’ is training:
  - provided to assessors, coaches, teachers in relation to such a qualification,
  - at which a number of persons are present (whether physically or remotely by means of simultaneous electronic communication),
  - where any one of those persons holds information in relation to the content of assessment materials or information about the assessment for that qualification, and
  - where disclosure of the information to assessors, coaches, teachers would breach such confidentiality.



Achieve+Partners will, in respect of any training it provides to assessors, coaches, teachers in relation to such a qualification (and, in relation to any such training provided by any person connected to Achieve+Partners will take all reasonable steps to) –

- + ensure that the training is reasonably available to all assessors, coaches, teachers preparing Learners, or persons likely to become Learners, for assessments for that EPA,
- + advertise to assessors, coaches, teachers the availability of the training, including in particular by publishing details of the training, and
- + publish the content of any training materials which have been provided to assessors, coaches, teachers in connection with the training, as soon as reasonably practicable after the training has been held.

Achieve+Partners will take all reasonable steps to ensure that no person connected to it, or previously connected to it, offers to disclose information about any assessment or the content of any assessment materials where that information is (or is said or implied to be) confidential.

Where any breach of such confidentiality (including through the loss or theft of confidential assessment materials) is either suspected by Achieve+Partners or alleged by any other person and where there are reasonable grounds for that suspicion or allegation, Achieve+Partners will:

- + investigate that breach,
- + ensure that such an investigation is carried out rigorously, effectively, and by persons of appropriate competence who have no personal interest in its outcome, and
- + so far as possible, establish whether or not a breach of such confidentiality has occurred.

### **1.11 Monitoring and review**

This policy is monitored by the Achieve+Partners senior management team to ensure that it remains current with legislative amendments and/or changes. The policy is formally reviewed annually and updated accordingly. The Information Officer is responsible for the update and accuracy of the policy on behalf of the senior management team.