



# **10. RE:geon Training Limited Data Protection and GDPR compliance Policy 2023**

Policy Group: General Policy  
Procedure Title: Data Protection and GDPR compliance Policy  
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Date and current version: 2023 version 1  
Review Date: Jan 2024

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This policy will be reviewed on an annual basis, or earlier if changes are necessary. RE:geon Training Limited reserves the right to amend this policy, following consultation, where appropriate.

## **1. What is this policy about?**

At RE:geon Training Limited we're committed to protecting and respecting your privacy. This Policy explains when and why we collect personal information about people, how we use it, the conditions under which we may disclose it to others and how we keep it secure.

We may change this Policy from time to time so please check this page occasionally to ensure that you're happy with any changes.

Any questions regarding this Policy and our privacy practices should be sent by writing to RE:geon Training Limited at

**RE:GEN HOUSE**  
**3 Azure Court**  
**Doxford Park**  
**Sunderland**  
**SR3 3BE**

Alternatively, you can telephone 0191 4661024

## **2. Who is this policy for?**

This policy is for all staff, volunteers, learners, employers, other stakeholders and third-party provisions and partnerships to ensure awareness of RE:geon Training Limited commitment to data protection in line with new GDPR legislation.

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

We obtain information about you when you or a partner agency contact us to express an interest in a training programme and/or enrol on one of our training programmes and via application forms when applying for vacancies.

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

The personal information we collect includes your name, address, email address, telephone number, information regarding eligibility for funding (including NI number), residency status and information regarding other courses you have undertaken. This list is not exhaustive and we may require additional information for enrolments and job applications such as emergency contact details, employment history, copies of identification and information relating to health and disabilities. We may also collect information relating to employers, such as address, email address, telephone number, sector, and number of employees.

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

We may use your information to:

- process a claim for funding relating to your chosen course through the ESFA and our prime contractors
- to carry out our obligations arising from any contracts entered into by you and us
- seek your views or comments on the services we provide
- notify you of changes to our services
- send you communications which you have requested and that may be of interest to you
- To match individual skills and experience to suitable advertised roles, where necessary

## **6. Our commitment**

### **RE:geon Training Limited will:**

- Process Personal Data in accordance with the instructions from its Contractors.
- Process the Personal Data only to the extent and in such a manner as is necessary for the provision of the services or as is required by Law or any Regulatory Body.
- Implement appropriate technical and organisational measures to protect the Personal Data against unauthorised or unlawful processing and against accidental loss, destruction, damage, alteration or disclosure. These measures shall be appropriate to the harm which might result from any unauthorised or unlawful processing, accidental loss, destruction or damage to the Personal Data and having regard to the nature of the Personal Data which is to be protected.
- Take reasonable steps to ensure the reliability of any Contractor Personnel who have access to the Personal Data.
- Obtain prior written consent from Contractors in order to transfer the Personal Data to any sub-contractor or other third parties for the provision of the Services.
- Not publish, disclose or divulge any of the Personal Data to any third party unless directed in writing to do so by the Contractor.
- Notify Contractor within 5 working days if it receives a request from a Data Subject to have access to that person's Personal Data; or a complaint or request relating to obligations under the General Data Protection Regulations.
- Provide Contractor with full co-operation and assistance in relation to any complaint or request made, including by providing Contractor with full details of the complaint or request; complying with a data access request within the relevant timescales set out in the General Data Protection Regulations and in accordance with ESFA's instructions.
- Provide Contractor with any Personal Data it holds in relation to a Data Subject (within the timescales required by the Contractor)

- Provide Contractor with any information requested by them or their representatives.
- Permit Contractor or Contractor representative (subject to reasonable and appropriate confidentiality undertakings), to inspect and audit RE:geon Training Limited Data Processing activities (and/or those of its agents, subsidiaries, and sub-contractors) and comply with all reasonable requests or directions by Contractor to enable the Contractor to verify and/ or procure that RE:geon Training Limited is in full compliance with its obligations under this Contract.
- Provide a written description of the technical and organisational methods employed by RE:geon Training Limited for processing Personal Data (within the timescales required by ESFA) and not Process Personal Data outside the European Economic Area without the prior written consent of Contractor and, where Contractor consents to a transfer, to comply with: the obligations of a Data Controller under the General Data Protection regulations by providing an adequate level of protection to any Personal Data that is transferred.
- If RE:geon Training Limited provide services to learners claiming out of work benefits, the Secretary of State for Work and Pensions (or their successor) is the Data Controller in relation to Personal Data which RE:geon Training Limited is required to provide to the Secretary of State for Work and Pensions under any enactment. This Clause 16 will be enforceable by the Secretary of State for Work and Pensions in relation to any Personal Data processed by RE:geon Training Limited on their behalf.

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

- RE:geon Training Limited will supply to the Contractor, data on each individual learner, in accordance with the data collections framework set out in the '*Individualised Learner Record (ILR) specification 2019/20*
- RE:geon Training Limited will supply the Contractor with data in accordance with the following:
  - in line with agreed audit arrangements
  - in adherence with General Data Protection Regulations
  - to support payments to be made
  - to enable reconciliation to take place
  - to support the contract management and allocation processes

All information is held on secure password protected systems and secure filing cabinets.

We will not sell or rent your information to third parties.

We will not share your information with third parties for marketing purposes.

## **8. Your rights**

Under the GDPR, you have various rights with respect to our use of your personal data:

### **Right to Access**

You have the right to request a copy of the personal data that we hold about you by contacting us at the email or postal address given above. Please include with your request information that will enable us to verify your identity. We will respond within 1 month of request. Please note that there are exceptions to this right. We may be unable to make all information available to you if, for example, making the information available to you would reveal personal data about another person, if we are legally prevented from disclosing such information, or if there is no basis for your request, or if it is excessive.

### **Right to rectification**

We aim to keep your personal data accurate and complete. We encourage you to contact us using the contact details provided above to let us know if any of your personal data is not accurate or changes, so that we can keep your personal data up-to-date.

### **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, please contact us using the contact details provided above.

### **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, please contact us using the contact details provided above.

### **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. Please contact us using the contact details provided above.

### **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 to make such a request, please contact us.

## **16 or Under**

We are committed to safeguarding our learners which includes protecting the privacy of children aged 16 or under. For those aged 16 or under parent/guardian's parental consent is gained on enrolment paperwork via the Commitment Statement and Learning Agreement.

Every member of staff or volunteer has a responsibility for ensuring that learners are safeguarded while they are using RE:geon Training Limited. RE:geon Training Limited organisational safeguarding standards recognises that we

safeguard in a wide range of contexts with a diverse group of learners. Therefore, managing the risk to learners in these contexts can require different sets of knowledge and skills, and different responses, some of which are driven by statute and legislation.

Our safeguarding standards and behaviours seek to underpin safeguarding in all of our practice.

Our approach to safeguarding is measured against our company organisational standards.

## **RE:geon Training Limited Employees Rights**

### Right to be forgotten

You can request your information and documentation to be erased from RE:geon Training Limited human resources records system. This request will only be accepted when an individual is resigning, retiring or has been subject to dismissal. You have a right to be forgotten which can be requested from

[cheryl@regeon.co.uk](mailto:cheryl@regeon.co.uk)

### Learner's' right to request their info

Full export of all your data from our system can be requested. All data held on our system will be sent across within the 30-day time period. You have a right to request your information which can be requested [cheryl@regeon.co.uk](mailto:cheryl@regeon.co.uk)

### Learner's' right to edit & update their information.

All employees have a right to edit and update their information. You can make a request to [cheryl@regeon.co.uk](mailto:cheryl@regeon.co.uk)

### Consent to hold data

All employees provide consent to hold their data in induction when signing the 'Employee Data Form'.

Data security compliance

We're a UK company and our servers are based within the EU.

Data security

We use encryption to protect your data. All employees are informed at induction how their data will be processed.

## **9. Document Retention**

We review our retention periods for personal information on a regular basis. We are legally required to hold some types of information to fulfil our statutory obligations. We will hold your personal information on our systems for as long as is necessary for the relevant activity. For SFA funded programmes, documents are to be retained for 7 years from completion. These will be retained on an academic year basis (1<sup>st</sup> Aug-31<sup>st</sup> July). The ESFA requires that we retain all SFA data for the 2014-20 projects until 31<sup>st</sup> December 2030.

Internal staff files are archived 6 months after the leave date and retained for 3 years unless application for the right to be forgotten' is made.

If either now or in the future the safe retention of information is at risk, i.e. an organisation is closing down, the support services contracts and compliance manager will immediately contact the ESFA or prime contractor, as appropriate to discuss alternative arrangements.

For external documents e.g. qualification standards, generally from awarding organisations, these will be held by appropriate staff involved with the delivery of the programmes.

## **10. Document Disposal**

Confidential information will be shredded by a professional company on regular basis.

Confidential archived information will be shredded by a professional company, at the appropriate time – after the required duration of archiving has been carried out.

## **11. Data Controller**

The Data Controller at RE:geon Training Limited is Cheryl Sutherland. She can be contacted on [cheryl@regeon.co.uk](mailto:cheryl@regeon.co.uk) and 0191 4661024

## **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 to the applicable supervisory authority or to seek a remedy through the courts. Please visit <https://ico.org.uk/concerns/> for more information on how to report a concern to the UK Information Commissioner's Office.

## **13. External Support from ICO**

You can contact ICO for updates to the Guide to the GDPR

New to [our Guide to the GDPR](#) are expanded pages on security, accountability and governance, and the right to data portability. We have also updated all of the lawful basis pages to include a link to the lawful basis interactive guidance tool.

And keep an eye out on the [What's New section of our Guide to the GDPR](#) for updated guidance.

## **14. Policy Review**

RE:geon Training Limited are responsible for the annual review of this Policy.