

# DATA PROTECTION PRIVACY NOTICE

## Protecting Your Personal Information: Your Rights, Our Responsibilities

Our privacy notice tells you what we do with your personal information, why we need it, who we share it with and how long we keep it for. You can find it on our website, or if you want a copy of it you can ask anyone from Babington to give one to you.

Your personal information is the information that identifies you - like your name, or address and other contact details. We collect this information when we talk to you about learning opportunities so we can keep in touch, and when we sign you up on a learning programme. We will collect more information whilst you are learning with us, such as your attendance and progress.

Babington will ensure that your privacy is protected and that your information is safe. In order to stop unauthorised access or sharing we have put in place physical, electronic and compliance procedures to safeguard and secure the information we collect from you, including your online details.

### Consent

Processing your personal information is necessary to meet the contractual obligations you enter into when enrolling onto a training or apprenticeship programme with Babington and in order for us to meet our legal obligations under the Apprenticeships, Skills, Children & Learning Act 2009. Provision of the privacy notice forms part of the enrolment and contract, and includes your agreement, or **consent**, to us processing "special category" information where provided. This is information about, for example, your health and ethnic origin. We are required to ask for this information by our funders when your training is publicly funded, although you have the option not to provide it. This information may also help us ensure we can put in place any support measures to help you with your training.

You can refuse to provide your consent, or withdraw your consent at any time, and this can be done by speaking to any Babington staff member or by writing to the Data Protection Officer for Babington. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent.

Sometimes photographs and videos are taken whilst in our centres, on external outings, at events, whilst on work experience or at your place of work. These may be used for the local press, our website and other social media platforms and/or in publicity materials to promote our courses and learning programmes. In these circumstances specific consent will be collected.

We need your agreement to us contacting you for publicity and marketing purposes and you can agree to this by completing the relevant tick boxes and signing this document.

### Why do we collect personal information about you?

We collect information to allow us to carry out our work delivering training and apprenticeships within our Centres, in employers' premises, in community sites, and through our dedicated learning website. We require this information to deliver our service to you and for Education Scotland, Scottish Qualification Authority (our Regulatory body) and our funders, such as Skills Development Scotland, so they can check that we deliver training to the required standards and to provide the right payments to us for delivering the training.

We collect the information required by Skills Development Scotland under contract with them in order to secure income revenue via public funding and European Social Fund match funding for our training provision. More details about your personal information held by Skills Development Scotland can be found at <https://www.skillsdevelopmentscotland.co.uk/about/policies/privacy/>

In order to receive funding we must also undertake eligibility checks, which may include accessing your certification summary via the Scottish Qualifications Authority to verify your qualifications and grades and provide evidence of eligibility for a training programme. More information about your certification summary can be found at <https://www.sqa.org.uk/sqa/45397.html>

Part of our work includes finding work placements, employment and apprenticeship vacancies and opportunities. We collect and share information in order to 'match' candidates to employers and support the assessment and recruitment process. We may ask you for a copy of your CV so that we can share this with prospective employers who may then contact you directly to discuss the job opportunity, but we will always check that you are happy for us to do this before sharing your information.

We operate a website and utilise social media and other platforms to advertise our apprenticeship and training opportunities. You may make an enquiry through our website or request a call when you will be asked to provide your name and contact details. These details will be used in order to contact you and you can unsubscribe from receiving further communications at any time.

### What sort of information do we ask for?

The sort of information we keep may include:

- Your name, age or date of birth
- Your contact details including address, email address and telephone numbers
- National Insurance Number
- Your ethnicity or national origin
- Emergency contact or next of kin details
- Educational achievements
- Employment history
- Health information
- Support needs
- Information such as your preferences and interests
- Other information relevant to customer surveys and/or offers
- Recordings of evidence of learning required for your Apprenticeship portfolio such as professional discussions, we will always ask for your consent prior to making any recordings

Where training is delivered online, workshop sessions may be recorded, and these recordings will be made available to all participants attending the workshop and also to others who were invited but were unable to attend. We will always inform you if a session is to be recorded.

We keep this information secure in our IT systems. Some information may be in paper files such as a progress report or a workbook.

We will also collect other information about you in the course of your training or apprenticeship such as:

- Your use of any Babington IT equipment which will include records of internet access, pages visited and searches performed in web browsers. Where a cause for concern is flagged, this may be discussed with you by your tutor and/or a member of our Safeguarding Team.
- Information about attendance, including any sickness absence.

### What do we use the information for?

- We will use the information collected from you to enable enrolment and participation through to completion of training and apprenticeship programmes and to secure funding for your programme.
- We may contact you requesting evaluation and feedback throughout the course of your programme and for up to 6 months following completion of your programme.
- We may contact you for up to 2 years from training programme end to record any positive outcome as a result of the training you have completed, e.g. securing employment. This is a requirement of our funding bodies.
- We will use your information to ensure we protect your health, safety and welfare.
- We will use your information for our own internal record keeping.

Sometimes our funders or Education Scotland may contact you directly to talk to you about your learning with Babington or ask what has happened since finishing your learning programme, for example whether you have a job or are doing some other training.

### Who do we share your information with?

- We have to share some of your information with other people and organisations such as Education Scotland, our funders and referring agencies. This may include your personal contact details, your attendance and progression in training, your achievements or employment progress. The organisations and people we regularly share this information with are:
  - Education Scotland (the Regulating Body for Training & Education)
  - Employers (potential and current)
  - Funding agencies such as the Skills Development Scotland
  - End Point Assessment Organisations
  - Awarding Bodies who verify your qualification and award your Certificates
  - Suppliers of books and training resources including couriers

- Suppliers of learner management systems
  - Referrers (e.g. Job Centres, Connexions, Partner organisations and all other referring agencies)
  - Parents and Guardians
  - Tutors and trainers, including sub-contracted training providers, and other Babington staff such as people in Finance or Compliance Admin
  - Auditors and Inspectors
  - Examination Centres including remote proctoring service providers
- Babington uses a Digital Marketing Service Provider (Prospect Global Ltd, T/A SoPro). You can view their privacy notice on their website <https://sopro.io>. Although they are a data processor, none of your personal information will be shared with SoPro.
  - Babington will sometimes fund programmes delivered by other training providers, this arrangement is called subcontracting. Where we are funding external training delivery, we will receive all information relating to that training delivery including progression updates from the subcontracted training provider. The information we receive is retained in line with our own learner record retention periods.
  - Babington will sometimes contract out the redaction of Subject Access Requests to remove any information that does not relate to your request. We have a signed Non Disclosure and Data Sharing & Processing Agreement with the contractor.
  - There may be occasions when we are legally required to share information with statutory agencies such as the Police, Local Authorities, Courts or HMRC. This may be in relation to educational statistics, safeguarding risks, criminal or civil proceedings or fraud. Information can be shared without your consent in these circumstances.
  - There may be other occasions when we are requested to provide information we hold on you and, where required, we will seek your explicit consent before doing so.

If we were to sell or transfer our business or part of our business this may involve the transfer of our operations and/or records to another organisation(s). As part of the sale or transfer, your personal data may be transferred to the new organisation(s) who will, under the terms of this Privacy Notice, be permitted to use this data for the purposes for which it was collected i.e. to enable enrolment and participation through to completion of training and apprenticeship programmes, to secure funding for your programme and to be provided as evidence during an audit by funding bodies and/or other Regulators, for example, Education Scotland.

We do not share your information with bodies outside of the EEA. The only exceptions to this are in the limited circumstances where remote proctoring services are used, your programme is assessed by CMI, or for programmes delivered using FranklinCovey's All Access Pass™ delivery platform.

### How long do we keep your information?

We will keep your details and the documents or file associated with your learning programme for a period of 6 years after the end of the contract year in which the final payment was made.

Sometimes we receive additional funding from the European Social Fund. Records relating to training funded through the European Social Fund have to be kept for a longer period, and currently they have to be kept until 31/12/2030.

Other funding bodies may stipulate different retention periods for learning records. Retention periods vary between 7 and 10 years after the end of the contract year in which the final payment was made.

If your learning record or workbook is part of our internal quality checking, then we must retain these documents for a period of 4 years from the date they were quality assessed in order to provide them to an external quality assessor.

If you make an initial enquiry with us, but do not progress onto a training programme with Babington, we will keep your contact details for a period of 6 months and seek your consent to continue contact with you beyond this period. You can request that we end contact at any point during this period.

### YOUR RIGHTS AND How to get a copy of the information we hold on you

You have rights under the law including the right to see the information we have, to ask us for a copy of it, to have it changed if it's not right, or out of date, or to have it deleted. There will be times when we can't delete all of your information because our funders require us to keep certain parts of your learning record for audit purposes.

No payment is required for a copy of your information and we will provide it to you within one month of you asking for it. To get a copy of your information contact the Data Protection Officer for Babington:

- By email to [DPO@Babington.co.uk](mailto:DPO@Babington.co.uk)

You will need to provide:

- Your full name and date of birth and current address
- A copy of identification, e.g. a driving licence or passport or Birth Certificate

## WHAT IF YOU ARE UNHAPPY ABOUT THE INFORMATION WE KEEP ABOUT YOU?

If you aren't happy about how we are looking after your information, then you should talk to us about it. After talking to us, if you are still not happy you can contact the Information Commissioner's Office and tell them.

You can contact the Data Protection Officer for Babington at [DPO@Babington.co.uk](mailto:DPO@Babington.co.uk)

If you are still not happy with how we are dealing with your information, you can write to the Information Commissioner's Office and ask them to look at the procedures we are following. They can be contacted at:

Information Commissioner's Office

Whycliffe House, Water Lane

Wilmslow, Cheshire

SK9 5AF

Telephone 01625 545 745

Further information about the work of the Information Commissioner and about data protection can be found at [www.ico.org.uk](http://www.ico.org.uk)

## WEBSITE ACCESS AND USAGE

Our websites use cookies - a cookie is a small file which asks permission to be placed on your computer's hard drive. Once you agree, the file is added and the cookie helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences.

We use traffic log cookies to identify which pages are being used. This helps us analyse data about webpage traffic and improve our website in order to tailor it to customer needs. We only use this information for statistical analysis purposes and then the data is removed from the system.

Overall, cookies help us provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us.

You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. This may prevent you from taking full advantage of the website.

This Privacy Notice may periodically be updated. Updated versions will be published on our website. This Notice was last updated on 26/04/2023.