

PRIVACY NOTICE FOR PARTICIPANTS & ALUMNI OF NPQ / NPD AND OTHER LLSE COURSES

This privacy notice is issued by LLSE Community Interest Company.

Our contact details are:

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LLSE is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you before, during and after your working relationship with us, in accordance with data protection legislation which means the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 (the Act), regulations made under the Act and the Privacy and Electronic Communications Regulations (PECR).

Depending on your relationship with us, LLSE will be either the “data processor”, which means that we are responsible for processing data on behalf of the Department for Education who are the “data controller”, but may also be the “data controller”.

- Where information is transferred to us by the Department for Education by their API or other means, they are the “data controller”.
- Where information has been collected directly by LLSE, LLSE is the “data controller”.
- Where you have given express consent for LLSE to process your data for marketing purposes, LLSE is the “data controller”.

This notice applies to current and former NPQ Participants and participants, past & present, from other courses offered by LLSE. This notice does not form part of any contract to provide services. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may make available on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

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1: DATA PROTECTION PRINCIPLES

We will comply with data protection law. This says that the personal information we hold about you must be:

- (a) Used lawfully, fairly and in a transparent way.
- (b) Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- (c) Relevant to the purposes we have told you about and limited only to those purposes.
- (d) Accurate and kept up to date.
- (e) Kept only as long as necessary for the purposes we have told you about.
- (f) Kept securely.

2: THE TYPE OF INFORMATION WE HOLD ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are “special categories” of more sensitive personal data which require a higher level of protection.

We will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, including any previous surname, title, addresses, telephone numbers, and personal and/or work email addresses
- Date of birth
- Gender
- Marital status
- Dietary requirements
- Teacher Reference Number (if applicable)
- Name, URN (if applicable) and address of employment or workplace
- Email addresses, names and job titles of employer contacts
- Job role and/or title
- Working patterns
- Information about your conduct
- Disciplinary and grievance information, including warnings issued to you
- CCTV footage and other information obtained through electronic means such as swipe-card records
- Information about your use of our information and communications systems
- Information relating to LLSE or third-party programmes on which you have been a participant
- Photographs and videos
- Correspondence emails or LMS platform messages from you
- Recorded notes on the LMS following information you have provided to us by email or telephone
- Accident book, first aid records, injury at work and third party accident information;
- Details relating to your course, such as
 - Qualification / course name
 - Start date
 - Cohort
 - Identification number(s)
 - If you are a funded or self-funded Participant

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- Reason for deferral / withdrawal and date (if applicable)
- Restart date (if applicable)
- Assessment date and result
- Performance and engagement information
- Any consents that you may have given us

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions
- Information about your health, including any medical condition, health and sickness records
- Information about any disability or learning need that you may have
- Genetic information
- Information about your criminal record/allegations and offences, fines and other similar judicial records

3: HOW IS YOUR PERSONAL INFORMATION COLLECTED?

We typically collect personal information about Participants through the application process. We may sometimes collect additional information from third parties including our Delivery Partners and schools.

We will also collect additional personal information in the course of activities throughout the period of you working with us, visiting our website, booking to attend an event, providing feedback or completing a survey.

In order to comply with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018, we will inform you whether you are required to provide certain information to us or if you have a choice in this. Where appropriate, we will ask for consent to process personal data where there is no other lawful basis for processing it, for example where we wish to ask your permission to use your information for marketing purposes or to request voluntary contributions. You may withdraw consent given in these circumstances at anytime.

4: HOW WE WILL USE INFORMATION ABOUT YOU (THE LAWFUL BASIS)

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- (a) Where we need to perform the contract we have entered into with you.
- (b) Where we need to perform the contract we have entered into with a third party, e.g. Department for Education
- (c) Where we need to comply with a legal obligation.
- (d) Where we need to protect your interests (or someone else’s interests).
- (e) Where it is needed in the public interest or for official purposes.
- (f) Where we have a legitimate interest to do so which does not unfairly affect your interests, rights or freedom.
- (g) Where you have given us consent to do so for the purpose specified.

Situations in which we will use your personal information

The situations in which we will process your personal information are listed below.

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- Making a decision about your suitability for an LLSE course;
- Determining the terms on which you work with us;
- Administering the agreement we have entered into with you
- Administering any agreement we have entered into with third parties, e.g. The Department for Education, Delivery Partners, Assessors
- To respond to your queries
- In order to operate, which may involve us sharing certain information about you with our stakeholders or processing correspondence or other documents, audits or reports which contain your personal data
- Business management, administrative and planning purposes, including accounting and auditing
- Conducting performance reviews, managing performance and determining performance requirements
- Responding to complaints or investigations from stakeholders or our regulators
- Making decisions about your continued engagement on our Courses
- Making arrangements for the termination of our relationship
- Dealing with legal disputes involving you, a n d / or others
- Complying with health and safety obligations
- To prevent fraud
- To monitor your use of our information and communication systems to ensure compliance with our IT policies
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution
- To conduct data analytics studies to review and better understand participant experience of our programmes, retention and attrition rates
- For market research and analysis
- To maintain and promote equality
- To receive advice from external advisors and consultants
- In appropriate circumstances to liaise with regulatory bodies, the Department for Education, the DBS and the Local Authority about your suitability to work or in connection with other regulatory matters
- To provide information about events & services we feel would be of benefit to you
- For the purposes of marketing where you have explicitly given consent for us to do so
- To verify your identity
- For competitions you may have entered

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

In addition, we may use CCTV cameras for security purposes and for the protection of our stakeholders. CCTV footage may be referred to during the course of disciplinary procedures or to investigate other issues. CCTV footage will only be processed to the extent that it is lawful to do so.

If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you, or we may be prevented from complying with our legal obligations (such as relating to health and safety) or we may be unable to discharge our obligations which may be in the public interest or for official purposes. It may also not be possible to let you know about events and services which we think would be of interest to you.

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Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5: HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION

“Special categories” of particularly sensitive personal information require us to ensure higher levels of data protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

- (a) In limited circumstances, with your explicit written consent.
- (b) Where we need to carry out our legal obligations in line with our data protection policy.
- (c) Where it is needed in the public interest, such as for equal opportunities monitoring, and in line with our data protection policy.
- (d) Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.
- (e) Where we need to ensure your safety and well being

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

Our obligations

We will use your particularly sensitive personal information in the following ways:

- We will use information relating to leaves of absence including the reasons for the leave, which may include sickness absence or family-related leave, sabbaticals, to help us administer and fulfil the agreement we have entered into with you.
- We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to comply with the Equality Act 2010, to monitor and manage sickness absence and to administer benefits.
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

Do we need your consent?

We do not need your consent if we use your particularly sensitive information in accordance with our written policy where processing is necessary:

- to carry out our legal obligations;
- for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- for reasons of substantial public interest
- to help us administer and fulfil the agreement we have entered into with you.

In other circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the

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information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your engagement with us that you agree to any request for consent from us.

6: INFORMATION ABOUT CRIMINAL CONVICTIONS

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We envisage that we will hold information about criminal convictions, for example, if information about criminal convictions comes to light as a result of our application and Disclosure and Barring Service checks, or if information about criminal convictions comes to light during your engagement with us.

We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the application process or we may be notified of such information directly by you in the course of you working for us.

7: AUTOMATED DECISION-MAKING

LLSE does not typically use any automated decision-making software to make a decision without human intervention.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We have a legitimate interest in seeking to continuously improve our service to the benefit of our organisation and our clients. We therefore use various tools and third parties, including Amazon Web Services, to help analyse feedback, sentiment and engagement within the delivery of our training courses. The analysis of comments from our learning platform, including forum posts, formative and summative assessments, and social media responses helps us to do this. The use of Sentiment analysis does not involve the use of personal information but we may use (anonymously) comments in our marketing materials.

8: DATA SHARING

We may have to share your data with third parties, including third-party service providers and other organisations.

In particular, we may share your data with organisations including, but not limited to, the following:

- Local Authorities
- the Department for Education
- Ofsted
- third parties with whom we have a contract to either receive or deliver services, e.g. Delivery Partners, Programme Facilitators, Coaches and assessors
- Your Headteacher as part of the Headteacher declaration process for applications
- the Disclosure and Barring Service

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- Our IT Providers
- the Police or other law enforcement agencies
- our legal advisors
- insurance providers
- training providers
- Amazon Web Services for sentiment analysis
- AutoMate CRM for storing marketing contact information (where you have provided consent)

We require third parties to respect the security of your data and to treat it in accordance with the law. Some of the organisations referred to above are joint data controllers. This means we are all responsible to you for how we process your data.

Why might we share your personal information with third parties?

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you, where it is needed in the public interest or for official purposes, or where we have your consent.

How secure is your information with third-party service providers?

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

What about other third parties?

From time to time, we may disclose your personal data in response to a request for information pursuant to the Freedom of Information Act 2000 or following a data subject access request. We may approach you for your consent but, in any event, we will only disclose your personal data if we are satisfied that it is reasonable to do so in all the circumstances. This means that we may refuse to disclose some or all of your personal data following receipt of such a request.

Transferring information outside the UK

We may sometimes transfer your personal data outside of the UK, e.g. we use Google Analytics which may store data on servers in the United States.

We use Amazon Web Services for sentiment analysis which may involve transferring data outside of the UK but this is done without context, i.e. links to user name or ID.

We use AutoMate CRM to store data where you have given us a consent to hold your data for marketing purposes. The data is stored and processed on servers located in the United States.

9. DATA SECURITY

We have put in place measures to protect the security of your information. Details of these measures are available in our Data Protection Policy.

Third parties who are processing personal data on our behalf will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors

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and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

10. DATA RETENTION

How long will we use your information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, insurance or reporting requirements. Details of retention periods for different aspects of your personal information are available in our Records Management Policy which is available on our website. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

11. RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (data subject access request). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Data Protection Lead (DPL) in writing (enquiries@llse.org.uk).

The legal timescales for LLSE to respond to a Subject Access Request is one calendar month. For further information about how we handle Subject Access Requests, please see our Data Protection Policy.

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No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is manifestly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

12. RIGHT TO WITHDRAW CONSENT

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the DPL. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

13. DATA PROTECTION OFFICER, QUESTIONS AND COMPLAINTS

We have appointed a Data Protection Officer (DPO), Invicta Law Ltd, to oversee compliance with this privacy notice. They can be contacted at dpo@invicta.law. If you have any questions about this privacy notice or how we handle your personal information, please contact the Data Protection Lead (enquiries@llse.org.uk).

If you wish to make a complaint about the use of your data, please contact enquiries@llse.org.uk and mark the subject line Data Protection Complaint. We aim to respond to all complaints within two working weeks or receipt. Where a complaint is complex, we will aim to give an initial response within the two working week window and outline the timeline for receipt of a full response.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

14. CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.