

XPS CONSTRUCTION AND SKILLS LEARNING LIMITED

Data Protection Policy

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1. Overview

1.1 The goal of the data protection policy is to depict the legal data protection aspects in one summarising document. It can also be used as the basis for statutory data protection inspections, e.g. by the customer within the scope of commissioned data processing¹. This is not only to ensure compliance with the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018 but also to provide proof of compliance.

1.2 The UK General Data Protection Regulation (GDPR) is a regulation, which requires any business that processes data belonging to UK citizens to protect it and not misuse it. As a responsible business, **[XPS CONSTRUCTION AND SKILLS LEARNING LIMITED]** aims to robustly implement the requirements of the UK GDPR. Part of meeting the obligation of meeting the obligations of UK GDPR is the production and implementation of this policy.

1.3 **[XPS CONSTRUCTION AND SKILLS LEARNING LIMITED]** is committed to the rules of data protection and abiding by seven data protection principles. These are the principles that must be satisfied when obtaining, handling, processing, moving and the storage of personal data.

1.4 As an **[XPS CONSTRUCTION AND SKILLS LEARNING LIMITED]** approved training centre, **[XPS CONSTRUCTION AND SKILLS LEARNING LIMITED]** must collect and process information as required by NONC First awarding body and its regulators. **[XPS CONSTRUCTION AND SKILLS LEARNING LIMITED]** is therefore considered the Data Processor and its course learners and employees the Data Subjects.

2. The 7 Data Protection Principles

- a) Data must be obtained and processed fairly, lawfully and with transparency.
- b) Data must be obtained for a specified, explicit and lawful purpose.
- c) Data must be adequate, relevant and not excessive for its collection purpose (“data minimisation”).
- d) Data must be accurate and kept up to date.
- e) Data must not be kept for longer than is necessary for its purpose.
- f) Data must be processed in accordance with the Data Subject’s rights.
- g) Data must be kept safe from unauthorised access, accidental loss or destruction (“integrity and confidentiality”).

3. Data Subjects Rights

3.1 Under the GDPR individuals have rights associated with their data, described below:

- a) The right to be informed
- b) The right of access
- c) The right to rectification
- d) The right to erasure
- e) The right to restrict processing
- f) The right to data portability
- g) The right to object
- h) Rights in relation to automated decision making and profiling

3.2 Children’s Personal Data

¹ Commissioned Data Processing: definitions are available at <https://www.lawinsider.com/dictionary/commissioned-data-processing>

For the benefit of this policy a child is classed as a young person under the age of 16. Children must have parental (or an individual in loco-parentis) consent for NONC First to collect and process their data. NONC will maintain evidence of consent using our learner registration process.

4. Data Collection

4.1 [XPS CONSTRUCTION AND SKILLS LEARNING LIMITED] acts on behalf of NONC First, by gathering and submitting learner data securely via the NONC website and/or registered post. [XPS CONSTRUCTION AND SKILLS LEARNING LIMITED] have a legally binding Centre Agreement, which confirms that [XPS CONSTRUCTION AND SKILLS LEARNING LIMITED] publishes and implement a Data Protection Policy (this document).

4.2 [XPS CONSTRUCTION AND SKILLS LEARNING LIMITED] collects data as part of the booking and registration process required for qualification delivery. [XPS CONSTRUCTION AND SKILLS LEARNING LIMITED] collects and retains data as part of its [XPS CONSTRUCTION AND SKILLS LEARNING LIMITED] administrative tasks.

4.3 When individuals provide their data to [XPS CONSTRUCTION AND SKILLS LEARNING LIMITED], the data is submitted to NONC First and may be used for any or all of the following purposes:

- a) Attribute qualification credit to learners;
- b) Produce commemorative certificates;
- c) Produce CPD certificates;
- d) Receive information pertinent to qualifications;
- e) Enable NONC to contact you at your request (depending on when your data is provided and in which specific context or interaction with NONC First);
- f) Monitor NONC First qualifications to ensure equality and inclusivity.

4.4 Learners data will only be used for the legitimate purposes described above. Any changes to the ways in which learner data is used will be communicated to those individuals affected.

5. Data Storage

[XPS CONSTRUCTION AND SKILLS LEARNING LIMITED] will ensure that:

- a) Data is held securely such as password protected computer, locked cabinets/drawers, encrypted, computers have appropriate virus/data protection software appropriate to the business.
- b) Course registrations (which includes, name, address, contact details, ethnicity, signature) are removed from sight and access of other course learners immediately after completion.
- c) Data is not disclosed or shared verbally or in writing to any unauthorised party.
- d) [XPS CONSTRUCTION AND SKILLS LEARNING LIMITED] will download course learner data to their part of the NONC website and promptly submit all documentation to NONC First. Data submitted will only be viewable via individual unique User log on and password of [XPS CONSTRUCTION AND SKILLS LEARNING LIMITED] and NONC First.
- e) [XPS CONSTRUCTION AND SKILLS LEARNING LIMITED] will not share their log on and passwords with any unauthorised individuals or companies.

6. Data Retention

- a) [XPS CONSTRUCTION AND SKILLS LEARNING LIMITED] will retain any data in accordance with NONC retention periods, currently 5 years.
- b) [XPS CONSTRUCTION AND SKILLS LEARNING LIMITED] will review its necessity to retain data once it has been submitted and accepted by NONC First.

7. Data Destruction

- a) [XPS CONSTRUCTION AND SKILLS LEARNING LIMITED] will ensure it destroys data in a confidential manner i.e. shredding of paper documents, deletion/pseudonymisation of digital records from computer systems.
- b) [XPS CONSTRUCTION AND SKILLS LEARNING LIMITED] will ensure it does not retain data longer than is required for the purpose of the qualification.

8. Subject Access

8.1 Any party who has provided personal data to [XPS CONSTRUCTION AND SKILLS LEARNING LIMITED], has the right to request what information is stored and its content.

8.2 Access request may be made in writing by letter or email to the [XPS CONSTRUCTION AND SKILLS LEARNING LIMITED] Manager who will discuss the request with the data subject.

8.3 Data will be provided in accordance with the subject's Rights of Access under the GDPR.

9. Breaches of Data Protection

- a) Breaches or suspected breaches should be reported to [Folajimi Adeloye] who will make the necessary investigations and provide a response to the informant within 3 weeks [15 working days] of receipt.
- b) Breaches may also be raised with NONC First by contacting their office either via email, telephone or in writing.