



BS.1.04.a GENERAL DATA PROTECTION REGULATION PRIVACY POLICY

February 2025

1 INTRODUCTION

This policy is designed to inform learners, parents and carers, employees, employers/companies, and relevant external agencies how we gather and process personal information in accordance with this Privacy Policy and in compliance with the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) and any equivalent legislation amending, supplementing or replacing this Regulation.

Midland Group Training Services Limited (MGTS) is registered with the Information Commissioner's Office (ICO) – Registration Number Z5234041.

We are committed to ensuring that your privacy is protected and are transparent about how we collect and use your personal data. This Policy provides you with the necessary information regarding your rights and our obligations and explains how we collect, process and store your personal data and who we share this data with.

2 PERSONAL DATA

Information that we collect

MGTS collects, holds and processes your personal data to meet our legal, statutory and contractual obligations in providing you with our services. We only collect personal data for specified, explicit and legitimate purposes.

Learners (including apprentices and commercial)

Personal data for the application, recruitment, registration and learning programme processes.

Employees

Personal data relevant to employment.

Employers/companies

Company and organisational data to meet contractual requirements, which are defined within the terms and conditions of the contract.

3 HOW WE PROCESS PERSONAL DATA

General Principles

MGTS will process information in accordance with the Data Protection Act and its own Data Protection Policy. To comply with the law, information about individuals and companies must be collected and used fairly, stored safely and securely, be adequate, relevant and not excessive, be kept accurate and up to date, held only as long as is necessary and not disclosed to any third party unlawfully.

The information provided is shared with the Education and Skills Funding Agency (ESFA), on behalf of the Secretary of State for the Department of Education (DfE). Learners' personal information will be used by the DfE, the ESFA (an executive agency of the DfE) and any successor bodies to these organisations and is used by the DfE to exercise its functions and to meet its statutory responsibilities, including under the Apprenticeships, Skills, Children and Learning Act 2009 and to create and maintain a unique learner number (ULN) and a personal learning record (PLR). The information will be securely destroyed after it is no longer required for these purposes. The information may be shared with third parties for education, training, employment and well-being related purposes, including for research.

This will only take place where the law allows it and the sharing is in compliance with data protection legislation. Further information about the use of and access to data are available at:

<https://www.gov.uk/government/publications/esfa-privacy-notice>

MGTS's Data Protection Policy is also available on request.

4 RETENTION

We only retain your data for as long as is necessary and for the purpose(s) specified in this Policy. Our policy is to keep personal data for a specified period in which time it will be securely destroyed, or for as long as is required in order to carry out a particular purpose, meet a particular obligation or for as long as is required. Data will usually be retained for a period of 6 years, unless legal or statutory requirements require us to extend this period. All data processors, including staff, or acting on our behalf only process your data in accordance with instructions from us and comply fully with this Privacy Policy, the data protection laws and any other appropriate confidentiality and security measures.

Some records also have a minimum retention period. Particularly those relating to assessment, these are dictated by awarding bodies an example of these are as follows:

- Assessment record – min of 3 years
- Internal assessment – 12 months from certification date.
- Exam records – 2 years

5 FOR MARKETING PURPOSES

We may contact you for marketing purposes and send you relevant information about our training programmes or if you have made an enquiry regarding MGTS's services if you have provided consent to receive this information. We would use this information to:

- Provide you with information about the services we offer
- Assist you in answering any queries or questions that your request
- Send newsletters, brochures or updates where you have consented for us to do so.

We will keep such data until you notify us otherwise and/or withdraw your consent.

6 KEEPING YOUR INFORMATION SAFE AND SECURE

MGTS is committed to keeping all personal information secure to protect it from being inappropriately or accidentally accessed, used, shared or destroyed. All information is stored safely and securely.

In order to keep information safe and secure all MGTS Staff will receive regular training on:

- The requirements of GDPR
- The potential risks and consequences of GDPR
- The procedures for reporting breaches.

Internal databases

A significant amount of learner data is held on our internal database system, which has a significant number of inbuilt features to control access. In addition to being able to specify what actions internal users can perform, we also restrict them to subdivisions of the database using Sites, Funding Organisations and Main Users and fields which contain personal information, are encrypted and restricted to only the necessary users. The system is also able to pseudo-anonymise learner records to restrict unnecessary access to personal data.

The website

MGTS's Website and its hosts take a proactive approach to user privacy and ensure the necessary steps are taken to protect the privacy of its users. Our website complies with all UK national laws and requirements for user privacy.

Cookie policy

Our website uses cookies to improve your experience when visiting our website. Cookies are small files which ask permission to be placed on your computer/device. 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 and track, save and store information about your interactions with and usage of the website. This allows the website, through its server to provide you with a tailored experience within the website. Our website uses a cookie control system allowing the user on their first visit to the website to allow or disallow the use of cookies on their computer/device. This complies with legislation requirements for websites to obtain explicit consent from users before leaving behind or reading files such as cookies on a user's computer/device.

Google analytics

Our website uses Google Analytics tracking software to monitor activity to better understand how you use it and how to improve our service to you. The cookies used to deliver Google Analytics are used

to store information, such as what time your current visit occurred, whether you have been to the site before and what site referred you to the web page. These cookies contain no personally identifiable information, but they will use your computer's IP address to know from where in the world you are accessing the Internet. Google stores the information collected by these cookies on their servers and Google may transfer this information to third parties where required to do so by law, or where such third-parties process the information on Google's behalf. Further information is provided on this link – <http://www.google.com/analytics/learn/privacy.html> parties where required to do so by law, or where such third-parties process the information on Google's behalf.

Links to other websites

Our website may contain links to other websites of interest. However, you should note that we do not have any control over these other websites. Once you have used any of these links to leave our site, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting these sites and such sites are not governed by this privacy statement.

Social media platforms

We participate with social media platforms subject to their privacy policies. Our website may use social sharing buttons which help share web content directly from web pages to social media platforms. The social media platform may track and save your request to share a web page through your social media platform account.

Subject access requests

Individuals have the right to make a subject access request in relation to their personal data and can ask for confirmation that their data is being processed and access the data. MGTS may ask for proof of identification before the request can be processed. MGTS reserves the right to make a reasonable charge for the information where a request is manifestly unfounded or excessive, particularly if it is repetitive. MGTS will endeavour to respond within the one month specified by law.

7 YOUR RIGHTS

Individuals have a number of other rights in relation to their personal data and how it is collected, processed and shared. The GDPR includes the following rights for individuals:

- the right to access
- the right to rectification
- the right to erasure
- the right to restrict processing
- the right to data portability
- the right to object

8 DATA SECURITY

MGTS takes the security of personal data seriously. We have internal policies and controls in place to protect personal data against loss, alteration, destruction, misuse or disclosure and ensure relevant access control. Where we engage third parties to process personal data on our behalf, such parties do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data. Some of

these measures have been mentioned above, but this also includes:

- Email and website encryption
- Firewall protection
- Network protection
- Full antivirus protection

If there were to be a breach of personal data that poses a risk to the rights and freedoms of individuals, MGTS will report it to the Information Commissioners Office (ICO) within 72 hours of discovery. We will record all data breaches regardless of their effect.

9 CCTV

Attendees at MGTS premises should be aware that MGTS premises are protected by a Closed-Circuit Television system which is continuously recording activity at specific locations on the site. CCTV is regularly monitored and randomly checked by key staff members. Surveillance is conducted primarily for the purpose of deterrence and detection of any criminal act, which may include, but is not limited to theft, vandalism, criminal damage, public disorder, breaking and entry and fraudulent activity. It also aims to ensure the safety and security of learners, staff, visitors and their property.

- Pursuant to the above objective, learners (?) should be aware that any activity witnessed or recorded may be used by MGTS and may result in disciplinary action or passed to the relevant authorities to investigate possible criminal activity.
- CCTV footage is stored for a limited duration only, currently linked to a maximum data allowance, which usually dates back no more than three weeks.

MONITORING & AUDITING

Monitoring: MGTS will Implement periodic monitoring and auditing procedures to assess the effectiveness of data protection measures. This may include:

- System audits to check for vulnerabilities and unauthorised access.
- Data flow audits to track the movement of personal data within the institution.
- Compliance audits to ensure adherence to GDPR principles and regulations.

Data Protection Officer (DPO) Karli Soanes. The DPO will be responsible for monitoring compliance, advising on data protection matters, and acting as a point of contact for the supervisory authority. The DPO is the first point of contact if a breach is suspected.

10 REPORTING POTENTIAL BREACHES

Notification Procedures:

- Identifying the nature and scope of the breach.
- Assessing the potential risks to individuals.

- If there were to be a breach of personal data that poses a risk to the rights and freedoms of individuals, MGTS will report it to the Information Commissioner's Office (ICO) within 72 hours of discovery
- **Internal Reporting Channels:** Encourage staff to report any suspected data breaches to the DPO.
- **Immediate Response:** Take immediate action to contain the breach and minimize its impact. This may involve:
 - Disabling compromised systems.
 - Investigating the cause of the breach.
 - Implementing temporary security measures.
- **Notification to Affected Individuals:** Notify affected individuals about the breach, explaining the nature of the breach, the potential consequences, and the steps being taken to mitigate the risks.
- **Cooperation with Authorities:** Cooperate fully with the ICO or other relevant authorities in their investigation of the breach.
- **Review and Improvement:** Conduct a thorough review of the incident to identify lessons learned and implement measures to prevent future breaches. This may include:
 - Strengthening security measures.
 - Enhancing staff training.
 - Revising data protection policies and procedures.

To make a complaint

MGTS process your data in compliance with this Privacy Policy and in accordance with the relevant data protection regulations. If you have any complaints about the way in which your personal data is handled or regarding the processing of your personal data, please contact us using the details below. Alternatively, you have the right to contact the supervisory authority to register a complaint. The details of which are below:

Midland Group Training Services
Gulson Road
Coventry
CV1 2JG
Telephone: 02476 630333
Website: www.mgts.co.uk
Email: enquiries@mgts.co.uk

To report a concern to the supervisory authority:

Information Commissioner's Office (ICO)
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 0303 123 1113
Website: www.ico.org.uk

Policy Owner: Apprenticeship Funding & Contracts Co-ordinator

Date	Summary of Changes	Version:	Author (Updated by):
February 2025	Update to Policy and new format	BS.1.04.a	Karli Soanes Apprenticeship Funding and Contracts Co-ordinator

Next Review: February 2026

Policy Approved By:



David Bridgens
Chief Executive
19.02.2025