

# Company Policy:

## Learner Privacy Policy

<b>Prepared by:</b>	Sandra Birchmore
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## Contents:

Company Policy: Learner Privacy Policy.....	1
Introduction .....	3
What personal data we collect?.....	4
How do we process your personal data?.....	4
How long will we keep your personal data? .....	6
How do we protect your personal data?.....	6
Your rights.....	7
Contact.....	8
Complaints .....	8
Changes to our Policy .....	8

## Introduction

The City & Guilds Group and Arema are committed to data security and the fair and transparent processing of personal data. This privacy policy (**Policy**) sets out how ILM, as a City & Guilds Group Business and Arema treats learner personal data.

If you are a learner registered with ILM to undertake learning, please read this Policy carefully as it contains important information on, how and why we collect, store, use and share your personal data (**process**), your rights in relation to your personal data, how to contact us, and how to contact supervisory authorities in the event that you would like to report a concern about the way in which we process your personal data.

For the purposes of the General Data Protection Regulation (Regulation (EU) 2016/679) (**GDPR**) and the UK Data Protection Act 2018 (**DPA**), The City and Guilds of London Institute is the 'controller' of learner personal data.

## About us

Arema Ltd is certified partner of ILM (Institute of Leadership Management) and City & Guilds. Arema offers a specialist suite of training programs ranging from Level 3 to Level 7, which are awarded by The City and Guilds of London Institute. Arema also specialise in assessment, learning content, and the accreditation process of high-quality training in the fields of leadership, management, and coaching.

## Review of this document

This document is reviewed and revised regularly in response to feedback from centre staff, Associates and the regulatory authorities, or changes in legislation. Arema reserves the right, however, to make changes to this document as and when required.

## What personal data we collect?

We collect your name, gender, and date of birth, and any other personal data which is necessary in relation to a specific qualification or programme. We may also collect personal data if required to administer our quality assurance processes, investigations, complaints and appeals. This personal data is provided to us by centres, providers, awarding bodies, or other industry bodies you have registered and/or contracted with to receive learning, training, assessment, and/or certification products and/or services provided by us.

In exceptional circumstances, we may also collect and/or be provided with special category data, such as data about your physical or mental health or condition, to enable us to administer requests for reasonable adjustments, or in relation to an investigation, complaint, or appeal. Such data should only be collected and/or provided to us if you have provided your explicit consent or if we are otherwise permitted to receive and process it under the GDPR and/or DPA (including as set out below).

We assign a unique learner number to each learner at the point of enrolment or registration, which we also use in relation to your learning, training, assessment, and/or certification.

## How do we process your personal data?

We may process your personal data where this is necessary to pursue our legitimate interests as a provider of learning, training, assessment, and/or certification products and/or services, including to:

- provide you with products and/or services for which you have enrolled or registered, or have been enrolled or registered
- undertake administration in relation to products and/or services for which you are enrolled or registered
- provide you with a certificate, credential, or other record of learning
- contact you directly in relation to our quality assurance processes, investigations, complaints, and appeals
- facilitate any offering of “Studying Membership” in relation to leadership and management by The Institute of Leadership & Management
- assess and provide reasonable adjustments in relation to your learning or assessment where requested; and prevent and detect crime and/or assist with the apprehension or prosecution of offenders.

We may also process your personal data in pursuance of our legitimate interests to contact you directly in relation to new and existing products, services, news, awards and events offered by ILM, City & Guilds, another member of the City & Guilds Group EMCC or Arema. Where you do receive such marketing communications from us, you may change your preferences or unsubscribe from marketing communications at any time by clicking the unsubscribe link in an email from us.

We may also process your personal data if required by law.

With respect to special category data, we may process such data when we have obtained your explicit consent to do so. We may also process such data if necessary for reasons of substantial public interest, including for the prevention or detection of unlawful acts or in compliance with,

or to assist third parties to comply with, any regulatory requirements relating to the investigation of unlawful acts, dishonesty or malpractice.

Who do we share your personal data with?

We may share your personal data with relevant third parties, where necessary, in relation to your learning, assessment, certification, or the verification of your learning, assessment or certification, including:

- regulatory authorities, sector skills councils, professional bodies, and similar industry bodies;
- skills certification schemes and bodies;
- consortiums, authorised representatives, and partners; and
- centres, employers, providers, awarding bodies and similar third parties.

We may share your personal data with TILM to enable TILM to offer you “Studying Membership” in relation to leadership and management. You can find out more about TILM on the [TILM website](#).

We may also share your personal data with trusted third party service providers including:

legal and other professional advisers, consultants, and professional experts; service providers contracted to us in connection with provision of learning, assessment, and training products and/or services such as markers, moderators, assessors, certification or credentialing providers, IT services and customer relationship management services; and analytics and search engine providers that assist us in the improvement and optimisation of our website.

We will ensure that there is a contract in place with such third party service providers, which includes obligations in relation to the confidentiality, security, and lawful processing of any personal data shared with them, and which upholds your rights and freedoms with respect to personal data.

Where a third party recipient is located outside the European Economic Area, we will ensure that the transfer of personal data is protected by appropriate safeguards, including by the use of standard data protection clauses adopted or approved by the European Commission where the Commission does not believe that the country has adequate data protection laws.

We may also share your personal data with other members of the City & Guilds Group.

We may also share personal data (including any special category data) with law enforcement or other authorities or agencies if required by law or where we otherwise deem it necessary in pursuance of our legitimate interests. This may include, without being limited to, responding to requests for information from such authorities or agencies, or sharing information with them in connection with our quality assurance processes, investigations, complaints, or appeals.

You should be aware that, where personal data is shared with a public authority, it will become subject to the Freedom of Information Act 2000 (**FOIA**) and may potentially fall within the scope of any future FOIA request made to such public authority.

## How long will we keep your personal data?

We will keep personal data relating to your learning, training, assessment, and/or certification in order to:

- provide information about your learning, training, assessment and/or certification;
  - provide replacement certification;
  - respond to any questions, complaints or claims made by you, on your behalf or about you;
  - comply with any relevant third party record retention requirements (e.g. those of a regulator);
- and
- comply with any contractual, legal, audit, and other regulatory requirements, or any orders from competent courts or authorities.

We will also keep personal data relating to our quality assurance processes, investigations, appeals and complaints, in order to comply with applicable contractual, legal, audit and other regulatory requirements, or any orders from competent courts or authorities.

City & Guilds keeps personal data for no longer than as is necessary for the above purposes.

## How do we protect your personal data?

We take all reasonable steps to ensure that both we and our third party service providers protect your personal data. This includes ensuring that our staff are aware of their information security obligations, providing training, and limiting access to your personal data to staff who have a genuine business need to know.

We also take reasonable steps to protect your personal data from loss or destruction and have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

Furthermore, our project management and change control process includes structured assessment of information security and data privacy risks. This process aims to ensure that all proposed system changes of City & Guilds from time to time fully align with the GDPR and good practice to uphold data subjects' rights and freedoms with respect to personal data.

## Your rights

Under the GDPR, you have various rights with respect to our processing 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 below. 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 data available to you if, for example, making the data available to you would reveal personal data about another person, if we are legally prevented from disclosing such data, if there is no basis for your request, or if your request is excessive.

### **Right to rectification**

We aim to keep your personal data accurate, current and complete. We encourage you to contact us using the contact details provided below 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 is no longer necessary for the purposes for which it was 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 be erased, please contact us using the contact details provided below.

### **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 below.

### **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 personal data, 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. If you would like to make such request, please contact us using the contact details provided below.

### **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 '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 request, please contact us using the contact details provided below.

Please note that the GDPR sets out exceptions to these rights. If we are unable to comply with your request due to an exception we will explain this to you in our response.

### Contact

If you have any queries about this Policy, the way in which ILM processes personal data, or about exercising any of your rights, you can send an email to [gdpr@cityandguilds.com](mailto:gdpr@cityandguilds.com) or write to Data Protection, City & Guilds, Giltspur House, 5-6 Giltspur Street, London, EC1A 9DE.

### 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 with the applicable supervisory authority or seek a remedy through the courts. Please visit the [UK Information Commissioner's Office website](#) for more information on how to report a concern.

### Changes to our Policy

Any changes we may make to our Policy in the future will be posted on this page and, where appropriate, notified to you by email. Please check back frequently to see any updates or changes to our Policy.