

LONDON DESIGN & ENGINEERING UTC

Privacy Notice for Apprentices

The General Data Protection Regulation (GDPR) comes into force on 25 May 2018 and will replace the current Data Protection Act governing how the London Design and Engineering UTC processes personal data. The GDPR is an EU regulation and despite Brexit the Government has confirmed that it will apply to the UK.

The GDPR was developed to create a more up to date law for data protection reflecting the changes in the digital age and strengthening the rights of individuals and how their personal data is processed and protected. Many of the GDPR's main concepts and principles are much the same as those in the Data Protection Act but with new elements and enhancements and a greater emphasis on accountability and how organisations demonstrate their compliance.

The categories of apprentice information that we collect, hold and share include:

- Personal information (such as name, date of birth, address, telephone number, e-mail address and copies ID documents)
- Learning contract information (such as course studied, start dates, hours studied, job title, role and employment information)
- Characteristics (such as gender, ethnicity, language, nationality, country of birth, religion and any other protected characteristic in order to comply with Equality Act 2010)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Any relevant medical information, special educational needs information, exclusion or behavioural information.
- Assessment information (such as previous qualifications, apprenticeship progress information and any other post-16 learning information)

Why we collect and use this information

The London Design & Engineering (LDE) UTC uses the apprentice data:

- to support apprentice learning

- to monitor and report on the progress being made by apprentices
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to inform the development of recruitment and retention policies for apprentices
- to develop an alumni association / network

The lawful basis on which we use this information

The LDE UTC will collect and use apprentice information under Articles 6 and 9 of the EU General Data Protection Regulation 2016/679 (GDPR), which come into force on 25 May 2018 – i.e. under:

- **Consent:** the individual has given clear consent for the LDE UTC to process their personal data for a specific purpose.
- **Contract:** the processing is necessary for an individual learning record (ILR) to be drawn up with the individual and their employer for an apprenticeship or programme of training.
- **Legal obligation:** the processing is necessary for the LDE UTC to comply with the law particularly with regards safeguarding students and complying with health and safety requirements.
- **Public task:** the processing is necessary for the LDE UTC to be able to provide appropriate information to both the ESFA and DfE to comply with requirements (such as the ILR Data Return) to enable it to continue to deliver and receive public funds for apprenticeships and training programmes.

Collecting apprentice information

Whilst the majority of information provided by apprentices to the LDE UTC is mandatory, some of it is provided on a voluntary basis. In order to comply with the General Data Protection Regulation, the LDE UTC will inform apprentices whether they are required to provide certain information or if you have a choice or not.

Storing apprentice data

LDE UTC will hold apprentice data for seven years after which it will be destroyed and or deleted safely and confidentially.

Who we share apprentice information with

The LDE UTC will routinely share apprentice information with:

- the Education and Skills Funding Agency (ESFA)
- the Department for Education (DfE)
- each apprentice's own individual employer

Why we share apprentice information

The LDE UTC will not share information about its apprentices with anyone without consent unless the law and its policies allow it to do so.

The UTC will share apprentices' data with the ESFA and the DfE on a statutory basis. This data sharing underpins apprenticeship funding and educational/skills attainment policy and monitoring.

The LDE UTC is required to share information about its apprentices in accordance with the Apprenticeship Agreement agreed with the ESFA. The Apprenticeship Agreement is defined in section 32 of the Apprenticeship, Skills, Children and Learning Act 2009 as it applies in relation to England by virtue of provision made under section 115(9) of the Deregulation Act 2015.

Data collection requirements:

To find out more about the data collection requirements placed on the LDE UTC by the Education and Skills Funding Agency (ESFA) (for example; via the apprenticeship agreement) go to: <https://www.gov.uk/guidance/working-with-us-as-a-provider> .

The Individualised Learner Records (ILRs) Data Return

The ILR Data Return is owned and managed by the Education and Skills Funding Agency (ESFA), which is an executive agency of the Department for Education (DfE)

For the purposes of the Data Protection, the DfE is the data controller for personal data processed by the ESFA.

The ILR Data Return 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).

Your 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 the GDPR.

The English European Social Fund (ESF) Managing Authority (or agents acting on its behalf) may contact you in order for them to carry out research and evaluation to inform the effectiveness of training.

You can opt out of contact for other purposes by ticking any of the following boxes if you do not wish to be contacted:

- About courses or learning opportunities.
- For surveys and research.
- By post.
- By phone.
- By e-mail.

Further information about use of and access to your personal data, and details of organisations with whom we regularly share data are available at:

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

To find out more about the ILR Data Return, go to

www.gov.uk/government/publications/ilr-guides-and-templates-for-2017-to-2018

The Department may share information about apprentices with third parties who promote the education or well-being of learners in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to apprentice information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

To contact DfE: <https://www.gov.uk/contact-dfe>

Requesting access to your personal data

Under data protection legislation, apprentices have the right to request access to information about them that the LDE UTC holds. To make a request for your personal information, or be given access to your record, please contact:

- **Jayesh Mehta – Director of Apprenticeships**
- **E-mail:** Jayesh.mehta@ldeutc.co.uk
- **Tel:** 07803 486745

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Contact

If you would like to discuss anything in this privacy notice, please contact:

- **Victoria Webb – Chief Information Officer**
- **E-mail:** victoria.webb@ldeutc.gov.uk
- **Tel:** 07591 206 289