

Functional Skills UK Data Protection Policy

Functional Skills UK (FSUK) is fully committed to protecting the rights and privacy of individuals, in accordance with the Data Protection Act 1998 and GDPR regulations 2018.

Key terms and their meanings

Data Controller – means the person or entity which alone or jointly with others determines the purposes and means of the processing of personal data.

Data Protection Law – the General Data Protection Regulation ((EU) 2016/679) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998/2018

Sensitive Information – this includes information revealing a person’s racial or ethnic origin, political opinions or trade union membership, religious or philosophical beliefs, health, sex life or sexual orientation, or genetic data and biometric data for the purpose of uniquely identifying a natural person. Information about criminal convictions is often included in this definition.

Data Controllers – For the purposes of the data protection law the data controller for the services we provide to you will be **Functional Skills UK**. We are registered with the ICO, registration number Z9810793.

Data Protection Officer We have appointed a Data Protection Officer to oversee our handling of personal information.

Paul Smith

Managing Director

e- paulsmith@brightonswimmingschool.com

t- 01273 434400

What we need?

Functional Skills UK Ltd will be what’s known as the ‘Controller’ of the personal data you provide to us. The nature of the information we collect from you is dependent on the relationship we will/have with you. In the main the information collected will be from a funded learning prospective, therefore we will collect the following:

- General information such as name, address, DOB, phone number and email address
- Any prior attainment
- ID – such as passport number and NI Number
- Benefit information if applicable
- Employment information if applicable
- As part of funding requirements, **sensitive information** such as ethnicity will need to be collected in most cases. Also, any Health information that is relevant so we can provide additional support where applicable

Why we need it?

We will not collect any personal data from you we do not need. We will only use your information where we have a legal basis to do so and will always respect your rights.

examples of why we have collected your data are:

- You have enrolled, or someone on your behalf has enrolled (including external agencies) on to a programme funded by the ESFA via the Adult Education Budget
- You are on an Apprenticeship programme with FSUK (either by Levy Transfer or ESFA co--investment)
- You have enrolled, or someone on your behalf has enrolled (including external agencies) on to a commercially paid for course
- We are contracted to deliver Functional Skills to you via a partner

What we do with it?

All the personal data we capture is processed by internal FSUK trained staff to support the services we provide for you when accessing the services of the Functional Skills UK Ltd.

FSUK will ask every learner for their explicit consent by asking the following questions before being input on to our system: “Do you give permission for us to keep your details on our system in order to supply services to you?” and “Are you ok for us to contact you about further courses that may be of interest to you?”. Learners can withdraw their consent at any point where applicable.

However, for the purposes of IT hosting and maintenance this information is located on servers within the European Union. No third parties have access to your personal data unless the law allows them to do so.

Our data software system is designed by ISARC and the contract implements a data processing agreement that complies with the requirements of the current legal framework in relation to data processing and with the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

We have a Data Protection regime in place to oversee the effective and secure processing of your personal data.

How long we keep it and why?

We will only retain your personal information for as long as reasonably necessary to fulfil the relevant purposes and to comply with our contractual, legal, tax and regulatory obligations. We regularly review this to ensure we are within current legal and regulatory requirements.

What are your rights?

You may, subject to applicable law, have some or all the following rights available to you in respect of your personal data:

- The right to rectification
- The right to erasure
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling

If at any point you believe the information, we have for you is incorrect you can request to see this information and even have it corrected or deleted or, If you wish to raise a complaint on how we have handled your personal data, for example:

- obtained through unlawful disclosure or unauthorised access
- You believe it to be lost
- recorded inaccurately and/or in a misleading manner
- Provided to a third party without permission.

Please contact:

Paul Smith - Managing Director

e- paulsmith@brightonswimmingschool.com


t- 01273 434400

If you would like to put your request/complaint in writing the address is:

Unit 2
Gordon Mews
Gordon Close
Portslade
BN41 1HU

If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law you can complain to the Information Commissioner's Office (ICO) - 0303 123 1113.

Signed:



Name & Position: Paul Smith MD

Date: December 2022

Review Date: December 2023