

Privacy Policy

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tomorrow**
A Palladium Company

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Introduction

This policy explains how the information we collect about you is used and your rights in relation to that information.

Controller DPO: Our Data Protection Officer (DPO) is the Corporate Governance Director, Cat Steel. Email: dpo@getsetuk.co.uk.

Information we may collect:

- Name and contact details.
- Visual images, personal appearance and behaviour.
- Date of Birth.
- Household details, lifestyle and social circumstances.
- Employment and educational details.
- Participant's records and financial details.
- Nationality.

Purpose

- To enable us to monitor our performance against our equality and diversity objectives.
- To ensure we are targeting our service to meet priority groups.
- To meet our legal and statutory duties and responsibilities.
- To process enrolments.
- To support your learning.
- To carry out administration.
- To support your application for government funding.
- For general statistics and research.
- For own internal records so that individuals can be provided with a high quality service.
- To contact learners in response to a specific enquiry.
- To customise services so they work better for you.
- To detect and prevent crime and/or fraud.

Lawful Bases

Our legal bases for using personal data are under contract to provide (adult) education and to comply with our applicable legal obligations.

Recipients

- ESFA
- DWP
- LRS
- Ofsted
- Our Funders (e.g., Ingeus, Maximus, Fedcap, G4S, DWP, GLA, Shaw Trust, Ministry of Justice)

How long we keep your personal information

This depends on the funding stream for the delivery you are participating in. For example:

- Non-accredited provision (formerly Community Learning (CL) documentation must be kept for six years after the end of the financial year in which the academic year concluded.
- Accredited provision (formerly Adult Skills Budget (ASB))
 - 2007-2012: Until 31 December 2022
 - 2014-2020: Until 31 December 2030

Rights

You have the right to access, rectify and delete personal information, in addition to other rights as explained in full below.

You have the right to contact us with a complaint if you're unhappy with the way your personal data has been used.

We are committed to resolving complaints about our collection or use of personal information.

You also have the right to lodge a complaint with the [ICO](#) if this issue is not resolved. You may at any time control access to and use of your personal information by contacting the [Get Set UK](#) CEO.

Such control will include the ability to see what information we hold and to opt out of any use of your personal information. Also, you are able to prevent disclosure to any third party, except as required by law or the order of a court of proper jurisdiction.

Your Personal Information

What is personal information?

Personal information can be anything that identifies and relates to a living person. This can include information that when put together with other information can then identify a person. For example, this could be your name and contact details.

What information do we ask for and why?

To provide services for you, we ask for a wide range of information, some of which is personal and may be required by law or necessary to:

- access funding to deliver specific services to you
- deliver services and support to you
- manage those services we provide to you
- train and manage the employment of our workers who deliver those services
- help investigate any worries or complaints you have about your services
- keep track of spending on services
- hear your views on a range of issues
- prevent and detect fraud
- check the quality of services

- to help with research and planning of new services.

We do not collect more information than we need to fulfil our stated purposes and will not retain it for longer than is necessary.

If we don't need personal information we'll either keep you anonymous if we already have it for something else or we won't ask you for it. For example, in a survey we may not need your contact details and will only collect your survey responses.

If we use your personal information for research and analysis, we'll always keep you anonymous or use a different name unless you've agreed that your personal information can be used for that research.

We don't sell your personal information to anyone else.

Certain information needs more protection due to its sensitivity and falls under the term 'special categories'. It's often information you would not want widely known and is very personal to you and for which we need your explicit consent in order to collect and use it (unless required by law). This is likely to include anything that can reveal your:

- sexuality and sexual health
- religious or philosophical beliefs
- ethnicity
- physical or mental health
- trade union membership
- political opinion
- genetic or biometric data
- criminal history.

How the law allows us to use your personal information

There are a number of legal reasons why we need to collect and use your personal information. Generally, we collect and use personal information where:

- you, or your legal representative, have given consent (see section below)
- you have entered into a contract with us
- it is necessary to perform our statutory duties
- it is necessary to protect someone in an emergency
- it is required by law
- it is necessary for employment purposes
- you have made your information publicly available
- it is necessary for legal cases
- it is to the benefit of society as a whole
- it is necessary to protect public health
- it is necessary for archiving, research, or statistical purposes.

Don't I have to give consent for you to use my personal information?

Generally, the information we hold about you has been collected for a specific purpose. Your consent may be needed when we want to use your personal information for a different purpose from the original one. For example, we collect your name and address so we can send you your

certificates, but we would need your permission if we used this information to send you something else at another time, this is called 'opting-in'.

If you give consent for this action or any other form of opt-in consent, you have the right to ask for this consent to be withdrawn.

However, your consent is not required when we are obliged under law to assist in the prevention and detection of crime, for example through the National Fraud Initiative or where the information is needed to carry out a legal function, such as reporting confirmed cases of Covid-19 in the workplace.

If we have consent to use your personal information, and you wish to withdraw it, contact the Data Protection Officer so we can deal with your request. Email: dpo@getsetuk.co.uk

Your rights

The law gives you a number of rights to control what personal information is used by us and how it is used by us.

You have the right to be informed

This is the information given to you in this privacy notice.

You have the right to access the information we hold on you

We would normally inform you of what personal information we collect whenever we assess your needs and prior to providing you with services. You also have the right to ask for all the information we have about you and the services you receive from us. When we receive a request from you in writing, we must give you access to everything we've recorded about you. However, we can't let you see any parts of your record which contain:

- confidential information about other people
- data a professional thinks will cause serious harm to your or someone else's physical or mental wellbeing
- information that we think may stop us from preventing or detecting a crime if we give it to you.

This applies to personal information that is in both paper and electronic records. If you ask us, we'll also let others see your record, except if one of the points above applies. If you can't ask for your records in writing, we'll make sure there are other ways that you can.

You have the right to ask us to change information we hold about you that you think is inaccurate

You should let us know if you disagree with something written on your file. We may not always be able to change or remove that information but we'll correct factual inaccuracies and may include your comments in the record to show that you disagree with it.

You have the right to ask for your personal information to be erased in some circumstances (right to be forgotten).

In certain instances, you can ask for your personal information to be deleted, for example where:

- your personal information is no longer needed for the reason why it was collected in the first place
- you have removed your consent for us to use your information - where there is no other legal reason us to use it
- there is no legal reason for the use of your information
- deleting the information is a legal requirement
- your personal information has been shared with others, we'll do what we can to make sure those using your personal information comply with your request for erasure.

Please note that we can't delete your information where:

- we're required to have it by law
- it's used for freedom of expression
- it's used for public health purposes
- it's for scientific or historical research, or statistical purposes where it would make information unusable
- it's necessary for legal claims.

You have the right to ask us to limit what we use your personal data for

You have the right to ask us to restrict what we use your personal information for where:

- you have identified inaccurate information, and have told us of it
- where we have no legal reason to use that information, but you want us to restrict what we use it for rather than erase the information altogether.

When information is restricted it can't be used other than to securely store the data and with your consent to handle legal claims and protect others, or where it's for important public interests of the UK.

Where restriction of use has been granted, we'll inform you before we carry on using your personal information.

Data Portability

You have the right to ask for your personal information to be given back to you or another service provider of your choice in a commonly used format. This is called data portability. This only applies if we're using your personal information with consent (not if we're required to by law) and if decisions were made by a computer and not a human being. It's likely that data portability won't apply to most of the services you receive from us.

You have the right to object to our use of your personal information for any service

However, if this request is approved this may cause delays or prevent us delivering that service. Where possible we'll seek to comply with your request, but we may need to hold or use information because we are required to by law.

Automated and Profiling Decisions

You have the right to question automated and profiling decisions about you, unless required for any contract you have entered into, required by law, or you've consented to it. You have the right

to know if your personal information is used in an automated process which could result in an unfavourable decision against you. You also have the right to object if you are being 'profiled'. Profiling is where decisions are made about you based on certain things in your personal information, for example your health conditions.

If and when we use your personal information to profile you, to deliver the most appropriate service to you, you will be informed. If any of the personal information we take from you is used in the processes above we will tell you at the time it is taken. If you have concerns regarding automated decision making, or profiling, please contact the Data Protection Officer who'll be able to advise you about how we are using your information.

Complaints

If you wish to make a complaint about our information rights practices, contact our Data Protection Officer. Email: dpo@getsetuk.co.uk

We will respond to any information rights concerns we receive, clarifying how we have processed your personal information in a specific case and explaining how we will put right anything that's gone wrong.

If you are dissatisfied with our handling of your complaint, you may [report your concern to the Information Commissioners Office](#).

Sharing and protecting your information

Who do we share your information with?

We use a range of organisations to either store personal information, help deliver our services to you and hear your views on a range of issues. Where we have these arrangements, there is always an agreement in place to make sure that the organisation complies with data protection law. We'll often complete a data protection impact assessment (DPIA) before we share personal information to make sure we protect your privacy and comply with the law.

Sometimes we have a legal duty to provide personal information to other organisations. This is often because we need to give that data to courts, including if:

- the court orders that we provide the information
- someone is taken into care under mental health law.

We may also share your personal information when we feel there's a good reason that's more important than protecting your privacy. This doesn't happen often, but we may share your information:

- to find and stop crime and fraud
- if there are serious risks to the public, our staff or to other professionals
- to protect a young person
- to protect adults who are thought to be at risk, for example if they are frail, confused or cannot understand what is happening to them.

For all of these reasons the risk must be serious before we can override your right to privacy.

If we're worried about your physical safety or feel we need to take action to protect you from being

harmful in other ways, we'll discuss this with you and, if possible, get your permission to tell others about your situation before doing so.

We may still share your information if we believe the risk to others is serious enough to do so.

There may also be rare occasions when the risk to others is so great that we need to share information straight away. If this is the case, we'll make sure that we record what information we share and our reasons for doing so. We'll let you know what we've done and why if we think it is safe to do so.

How do we protect your information?

We'll do what we can to make sure we hold records about you (on paper and electronically) in a secure way, and we'll only make them available to those who have a right to see them. Examples of our security include:

- Encryption, meaning that information is hidden so that it cannot be read without special knowledge (such as a password). This is done with a secret code or what's called a 'cypher'. The hidden information is said to then be 'encrypted'
- using a different name so we can hide parts of your personal information from view. This means that someone outside of the Council could work on your information for us without ever knowing it was yours
- controlling access to systems and networks allows us to stop people who are not allowed to view your personal information from getting access to it
- Training for our staff allows us to make them aware of how to handle information and how and when to report when something goes wrong
- regular testing of our technology and ways of working including keeping up to date on the latest security updates (commonly called patches)

Where in the world is your information?

The majority of personal information is stored on systems in the UK. But there are some occasions where your information may leave the UK either in order to get to another organisation or if it's stored in a system outside of the EU. We have additional protections on your information if it leaves the UK ranging from secure ways of transferring data to ensuring we have a robust contract in place with that third party.

We'll take all practical steps to make sure your personal information is not sent to a country that is not seen as 'safe' either by the UK or EU governments. If we need to send your information to an 'unsafe' location we'll always seek advice from the Information Commissioner first.

How long do we keep your personal information?

There's often a legal reason for keeping your personal information for a set period of time. For each service, the schedule lists how long your information may be kept for. This ranges from months for some records to decades for more sensitive records, or as required by applicable law.

Where can I get advice?

If you have any worries or questions about how your personal information is handled, contact our Data Protection Officer. Email: dpo@getsetuk.co.uk

For independent advice about data protection, privacy and data sharing issues, you can contact the Information Commissioner's Office (ICO) at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

Alternatively, visit [ICO website](https://ico.org.uk) or email casework@ico.org.uk

Policy Review

This policy shall be reviewed annually and amended accordingly at intervals not exceeding 12 months.

Version Control

Version	Date	Purpose / Changes	Author
V2	01/07/18	Amended (website version)	Thomas Harley
V3	01/07/19	Review (website version)	Thomas Harley
V4	01/07/20	Review (website version)	Thomas Harley
V5	01/09/21	Full review and amendments to reflect learning purposes	Cat Barton
V6	01/09/22	Annual review	Cat Barton
V7	01/09/23	Annual review	Cat Steel
V8	01/09/24	Annual review	Cat Steel
V9	01/09/25	Annual review	Cat Steel

Annex 1 - Website and Cookies

Introduction

This Privacy Policy outlines Get Set ("we", "our" or "the Company") practices with respect to information collected from users who access our website at www.getsetuk.co.uk ("Site"), or otherwise share personal

Grounds for data collection

Processing of your personal information (meaning, any information which may potentially allow your identification with reasonable means; hereinafter "Personal Information") [add explanation regarding the legal grounds for processing personal information, such as:] is necessary for the performance of our contractual obligations towards you and providing you with our services, to protect our legitimate interests and for compliance with legal and financial regulatory obligations to which we are subject.

When you use the Site, you consent to the collection, storage, use, disclosure and other uses of your Personal Information as described in this Privacy Policy.

We encourage our Users to carefully read the Privacy Policy and use it to make informed decisions.

What information we collect?

We collect two types of data and information from Users.

The first type of information is un-identified and non-identifiable information pertaining to a User(s), which may be made available or gathered via your use of the Site ("Non-personal Information"). We are not aware of the identity of a User from which the Non-personal Information was collected. Non-personal Information which is being collected may include your aggregated usage information and technical information transmitted by your device, including certain software and hardware information (e.g. the type of browser and operating system your device uses, language preference, access time, etc.) in order to enhance the functionality of our Site. We may also collect information on your activity on the Site (e.g. pages viewed, online browsing, clicks, actions, etc.).

The second type of information Personal Information which is individually identifiable information, namely information that identifies an individual or may with reasonable effort identify an individual. Such information includes:

Device Information: We collect Personal Information from your device. Such information includes geolocation data, IP address, unique identifiers (e.g. MAC address and UUID) and other information which relates to your activity through the Site.

Registration information: When you register to our Site you will be asked to provide us certain details such as: full name; e-mail or physical address, and other information.

How do we receive information about you?

We receive your Personal Information from various sources:

- When you voluntarily provide us your personal details in order to register on our Site;

- When you use or access our Site in connection with your use of our services;
- From third party providers, services and public registers (for example, traffic analytics vendors).

How we use your information?

We do not rent, sell, or share Users' information with third parties except as described in this Privacy Policy. We may use the information for the following:

- Communicating with you – sending you notices regarding our services, providing you with technical information and responding to any customer service issue you may have;
- To communicate with you and to keep you informed of our latest updates and services;
- To serve you advertisements when you use our Site (see more under "Advertisements");
- To market our websites and products (see more under "Marketing");
- Conducting statistical and analytical purposes, intended to improve the Site.

In addition to the different uses listed above, we may transfer or disclose Personal Information to our subsidiaries, affiliated companies and subcontractors. In addition to the purposes listed in this Privacy Policy, we may share Personal Information with our trusted third party providers, who may be located in different jurisdictions across the world, for any of the following purposes:

- Hosting and operating our Site;
- Providing you with our services, including providing a personalized display of our Site;
- Storing and processing such information on our behalf;
- Serving you with advertisements and assist us in evaluating the success of our advertising campaigns and help us retarget any of our users;
- Providing you with marketing offers and promotional materials related to our Site and services;
- Performing research, technical diagnostics or analytics;

We may also disclose information if we have good faith to believe that disclosure of such information is helpful or reasonably necessary to: (i) comply with any applicable law, regulation, legal process or governmental request; (ii) enforce our policies (including our Agreement), including investigations of potential violations thereof; (iii) investigate, detect, prevent, or take action regarding illegal activities or other wrongdoing, suspected fraud or security issues; (iv) to establish or exercise our rights to defend against legal claims; (v) prevent harm to the rights, property or safety of us, our users, yourself or any third party; or (vi) for the purpose of collaborating with law enforcement agencies and/or in case we find it necessary in order to enforce intellectual property or other legal rights.

User Rights

You may request to:

- Receive confirmation as to whether or not personal information concerning you is being processed, and access your stored personal information, together with supplementary information.
- Receive a copy of personal information you directly volunteer to us in a structured, commonly used and machine-readable format.
- Request rectification of your personal information that is in our control.
- Request erasure of your personal information.

- Object to the processing of personal information by us.
- Request to restrict processing of your personal information by us.
- Lodge a complaint with a supervisory authority.

However, please note that these rights are not absolute, and may be subject to our own legitimate interests and regulatory requirements.

If you wish to exercise any of the aforementioned rights, or receive more information, please contact us. Email: dpo@getsetuk.co.uk

Retention

We will retain your personal information for as long as necessary to provide our services, and as necessary to comply with our legal obligations, resolve disputes, and enforce our policies. Retention periods will be determined taking into account the type of information that is collected and the purpose for which it is collected, bearing in mind the requirements applicable to the situation and the need to destroy outdated, unused information at the earliest reasonable time. Under applicable regulations, we will keep records containing client personal data, account opening documents, communications and anything else as required by applicable laws and regulations.

We may rectify, replenish or remove incomplete or inaccurate information, at any time and at our own discretion.

Cookies

We and our trusted partners use cookies and other technologies in our related services, including when you visit our Site or access our services.

A "cookie" is a small piece of information that a website assign to your device while you are viewing a website. Cookies are very helpful and can be used for various different purposes. These purposes include allowing you to navigate between pages efficiently, enable automatic activation of certain features, remembering your preferences and making the interaction between you and our Services quicker and easier. Cookies are also used to help ensure that the advertisements you see are relevant to you and your interests and to compile statistical data on your use of our Services.

The Site uses the following types of cookies:

- 'session cookies' which are stored only temporarily during a browsing session in order to allow normal use of the system and are deleted from your device when the browser is closed;
- 'persistent cookies' which are read only by the Site, saved on your computer for a fixed period and are not deleted when the browser is closed. Such cookies are used where we need to know who you are for repeat visits, for example to allow us to store your preferences for the next sign-in;
- 'third party cookies' which are set by other online services who run content on the page you are viewing, for example by third party analytics companies who monitor and analyse our web access.

Cookies do not contain any information that personally identifies you, but Personal Information that

we store about you may be linked, by us, to the information stored in and obtained from cookies. You may remove the cookies by following the instructions of your device preferences; however, if you choose to disable cookies, some features of our Site may not operate properly and your online experience may be limited.

We also use a tool called “Google Analytics” to collect information about your use of the Site. Google Analytics collects information such as how often users access the Site, what pages they visit when they do so, etc. We use the information we get from Google Analytics only to improve our Site and services. Google Analytics collects the IP address assigned to you on the date you visit sites, rather than your name or other identifying information. We do not combine the information collected through the use of Google Analytics with personally identifiable information. Google’s ability to use and share information collected by Google Analytics about your visits to this Site is restricted by the Google Analytics Terms of Use and the Google Privacy Policy.

Third party collection of information

Our policy only addresses the use and disclosure of information we collect from you. To the extent you disclose your information to other parties or sites throughout the internet, different rules may apply to their use or disclosure of the information you disclose to them. Accordingly, we encourage you to read the terms and conditions and privacy policy of each third party that you choose to disclose information to.

This Privacy Policy does not apply to the practices of companies that we do not own or control, or to individuals whom we do not employ or manage, including any of the third parties which we may disclose information as set forth in this Privacy Policy.

How do we safeguard your information?

We take great care in implementing and maintaining the security of the Site and your information. [explain about your security practices, such as: we employ industry standard procedures and policies to ensure the safety of the information we collect and retain, and prevent unauthorized use of any such information, and we require any third party to comply with similar security requirements, in accordance with this Privacy Policy]. Although we take reasonable steps to safeguard information, we cannot be responsible for the acts of those who gain unauthorized access or abuse our Site, and we make no warranty, express, implied or otherwise, that we will prevent such access.

Transfer of data outside the EEA

Please note that some data recipients may be located outside the EEA. In such cases we will transfer your data only to such countries as approved by the European Commission as providing adequate level of data protection, or enter into legal agreements ensuring an adequate level of data protection.

Advertisements

We may use a third-party advertising technology to serve advertisements when you access the Site. This technology uses your information with regards to your use of the Services to serve advertisements to you (e.g., by placing third-party cookies on your web browser).

You may opt-out of many third-party ad networks, including those operated by members of the Network Advertising Initiative (“NAI”) and the Digital Advertising Alliance (“DAA”). For more

information about this practice by NAI and DAA members, and your choices regarding having this information used by these companies, including how to opt-out of third-party ad networks operated by NAI and DAA members, please visit their respective websites:

<http://optout.networkadvertising.org/#/> and <http://optout.aboutads.info/#/>.

Marketing

We may use your Personal Information, such as your name, email address, telephone number, etc. ourselves or by using our third party subcontractors for the purpose of providing you with promotional materials, concerning our services, which we believe may interest you.

Out of respect to your right to privacy we provide you within such marketing materials with means to decline receiving further marketing offers from us. If you unsubscribe we will remove your email address or telephone number from our marketing distribution lists.

Please note that even if you have unsubscribed from receiving marketing emails from us, we may send you other types of important e-mail communications without offering you the opportunity to opt out of receiving them. These may include customer service announcements or administrative notices.

Corporate transaction

We may share information in the event of a corporate transaction (e.g. sale of a substantial part of our business, merger, consolidation or asset sale). In the event of the above, the transferee or acquiring company will assume the rights and obligations as described in this Privacy Policy.

Minors

We understand the importance of protecting children's privacy, especially in an online environment. The Site is not designed for or directed at children. Under no circumstances shall we allow use of our services by minors without prior consent or authorization by a parent or legal guardian. We do not knowingly collect Personal Information from minors. If a parent or guardian becomes aware that his or her child has provided us with Personal Information without their consent, he or she should contact us at [add applicable email address].

Updates or amendments to this Privacy Policy

We reserve the right to periodically amend or revise the Privacy Policy; material changes will be effective immediately upon the display of the revised Privacy policy. The last revision will be reflected in the "Last modified" section. Your continued use of the Platform, following the notification of such amendments on our website, constitutes your acknowledgment and consent of such amendments to the Privacy Policy and your agreement to be bound by the terms of such amendments.