

# **General Data Protection Regulation (GDPR) Policies & Procedures (Apprentice/Learner)**

## Privacy Notice

Quest Training South Ltd (Quest Training) will be what's known as the 'Controller' of the personal data you provide to us. Quest Training will collect personal data about you which can include special types of information. This may include name, date of birth, address, email, phone number.

### Why Quest Training South East Ltd need your data

Quest Training need to know your personal data in order to provide you with answers to your enquiries in line with any enquiry, or agreement/contract, that they may have in place with you. We will not collect any data from you that they may not need.

### What Quest Training South East Ltd will do you with your data

The information you supply will be used by the Educations Skills Funding Agency, and executive agency of the Department for Education (DfE), to issue you with a unique learner number (ULN), and to create your personal learning record. We may also share your personal data with other third parties in order to comply with any legal obligation, for example e-portfolio and Awarding Organisations. Where your data is shared with third parties, they will seek the minimum amount necessary. Quest Training do not share your data/information with other third parties, unrelated to your qualification.

All the personal data they process is processed by our staff in the UK. For the purposes of IT hosting and maintenance, this information is located on servers.

### How long will Quest Training South East Ltd keep your data

Quest Training South East Ltd will keep your personal data for a minimum of 7 years. Your information, which Quest Training use for marketing purposes, will be kept with them until you notify them that you no longer wish to receive this this information.

### What are your rights?

If at any point you believe the data Quest Training process about you is incorrect, you can request to see this information and have it corrected, or deleted. If you wish to raise a complaint on how Quest Training South have handled your personal data, you can contact our Data Protection Officer to have the matter investigated.

This Policy should not be read in isolation, but is designed to be read in conjunction with Quest Training's Retention Policy & Privacy Policy.

#### **Data Protection Officer Details:**

Name - Jaz Bratch

Email - [DPO@questfortraining.com](mailto:DPO@questfortraining.com) (01474 704441)

# Privacy Policy

## 1. Introduction

- 1.1 Quest Training South East Ltd (Quest Training) are committed to safeguarding the privacy of their website visitors and customers.
- 1.2 This Policy applies where Quest Training are acting as a data controller with respect to the personal data of our website visitors and customers; in other words, where Quest Training South East Ltd determine the purposes and means of the processing of that personal data.

## 2. Credit

- 2.1 This document was created using a template from SEQ Legal (<https://seqlegal.com>).

## 3. How we use your personal data

- 3.1 In this Section 3 we have set out:
  - (a) the general categories of personal data that we may process;
  - (b) the purposes for which we may process personal data; and
  - (c) the legal bases of the processing.
- 3.2 Quest Training may process data about your use of our website and services "**usage data**". The usage data may include your IP address, geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths, as well as information about the timing, frequency and pattern of your use of our website. The source of the usage data is our analytics tracking system. This usage data may be processed for the purposes of analysing the use of the website and services. The legal basis for this processing is consent or our legitimate interests.
- 3.3 Quest Training may process your account data "**account data**". The account data may include your name and email address. The source of the account data is data that you have previously consented to provide to us because you may have purchased from us via our card payment facility. The account data may be processed for the purposes of operating our website, providing their services, ensuring the security of their website and services, maintaining back-ups of our databases and communicating with you. The legal basis for this processing is consent, OR our legitimate interests, namely the proper administration of our website and business, OR the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.

- 3.4 Quest Training may process your information included in your personal profile on our website or on data you have consented to submit to us "**profile data**". The profile data may include and is not limited to your name, address, telephone number, email address, gender, date of birth, interests and hobbies. The profile data may be processed for the purposes of enabling and monitoring your use of our website and services. The legal basis for this processing is consent, OR their legitimate interests, namely the proper administration of their website and business, OR the performance of a contract between you and us, and/or taking steps, at your request, to enter into such a contract.
- 3.5 Quest Training may process your personal data that has been provided in the course of the use of their services "**service data**". The service data may include and is not limited to your name, address, telephone number, email address, gender, date of birth, interests and hobbies. The source of the service data is you. The service data may be processed for the purposes of operating our website, providing our services, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with you. The legal basis for this processing is consent, OR our legitimate interests, namely the proper administration of our website and business, OR the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.
- 3.6 Quest Training may process information that you post for publication on their website, or through our services "**publication data**". The publication data may be processed for the purposes of enabling such publication and administering our website and services. The legal basis for this processing is consent, OR our legitimate interests, namely the proper administration of our website and business, OR the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.
- 3.7 Quest Training may process information contained in any enquiry you submit to us regarding goods and/or services "**enquiry data**". The enquiry data may be processed for the purposes of offering, marketing and selling relevant goods and/or services to you. The legal basis for this processing is consent.
- 3.8 Quest Training may process information relating to our customer relationships, including customer contact information "**customer relationship data**". The customer relationship data may include and is not limited to your name, address, telephone number, email address, gender, date of birth, interests and hobbies and information contained in communications between us. The source of the customer relationship data is you. The customer relationship data may be processed for the purposes of managing our relationships with customers, communicating with customers, keeping records of those communications and promoting our products and services to customers. The legal basis for this processing is consent, OR our legitimate interests, namely the proper management of our customer relationships.

- 3.9 Quest Training may process information relating to transactions, including purchases of goods and services that you enter into with them via our card payment facility "**transaction data**". The transaction data may include your contact details, your card details and the transaction details. The transaction data may be processed for the purpose of supplying the purchased goods and services and keeping proper records of those transactions. The legal basis for this processing is the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract and our legitimate interests.
- 3.10 Quest Training may process information that you provide to us for the purpose of subscribing to our email notifications and/or newsletters "**notification data**". The notification data may be processed for the purposes of sending you the relevant notifications and/or newsletters. The legal basis for this processing is consent, OR the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.
- 3.11 Quest Training may process information contained in, or relating to, any communication that you send to us "**correspondence data**". The correspondence data may include the communication content and metadata associated with the communication (Our website will generate the metadata associated with communications made using the website contact forms.) The correspondence data may be processed for the purposes of communicating with you and record-keeping. The legal basis for this processing is their legitimate interests, namely the proper administration of our website and business and communications with users.
- 3.12 Quest Training may process any of your personal data identified in this Policy where necessary for the establishment, exercise, or defence of legal claims, whether in court proceedings, or in an administrative, or out-of-court procedure. The legal basis for this processing is our legitimate interests, namely the protection and assertion of their legal rights, your legal rights and the legal rights of others.
- 3.13 Quest Training may process any of your personal data identified in this Policy where necessary for the purposes of obtaining, or maintaining insurance coverage, managing risks, or obtaining professional advice. The legal basis for this processing is our legitimate interests, namely the proper protection of our business against risks.
- 3.14 In addition to the specific purposes for which Quest Training may process your personal data set out in this Section 3, they may also process any of your personal data, where such processing is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests, or the vital interests of another natural person.
- 3.15 Please do not supply any other person's personal data to us.

#### **4. Providing your personal data to others**

- 4.1 Quest Training may disclose your personal data to their insurers and/or professional advisers, in so far as reasonably necessary, for the purposes of obtaining, or maintaining insurance coverage, managing risks, obtaining professional advice, or the establishment, exercise or defence of legal claims, whether in court proceedings, or in an administrative, or out-of-court procedure.
- 4.2 Quest Training may disclose data you have consented to supply them with to their suppliers, or subcontractors, in so far as reasonably necessary, for the purpose of carrying out our legitimate business interests.
- 4.3 Financial transactions relating to their website and services are, OR may be handled by our payment services providers. Quest Training will share transaction data with our payment services providers only to the extent necessary for the purposes of processing your payments, refunding such payments and dealing with complaints and queries, relating to such payments and refunds.
- 4.4 In addition to the specific disclosures of personal data set out in this Section 4, Quest Training may disclose your personal data where such disclosure is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests, or the vital interests of another natural person. Quest Training may also disclose your personal data where such disclosure is necessary for the establishment, exercise, or defence of legal claims, whether in court proceedings, or in an administrative, or out-of-court procedure.

#### **5. Retaining and deleting personal data**

- 5.1 This Section 5 sets out our data retention Policies and Procedures, which are designed to help ensure that we comply with our legal obligations in relation to the retention and deletion of personal data.
- 5.2 Personal data that we process for any purpose, or purposes, shall not be kept for longer than is necessary for that purpose, or those purposes.
- 5.3 Quest Training will retain your personal data as follows:
  - (a) personal data (which may include and is not limited to your name, address, telephone number, email address, gender, date of birth) will be retained for a minimum period of 1 month (if your enquiry to us goes no further than a simple enquiry) and for a maximum period of 7 years following your contact to us should we enter into a contract with you.

- 5.4 In some cases it is not possible for us to specify in advance the periods for which your personal data will be retained. In such cases, we will determine the period of retention based on the following criteria:
- (a) The period of retention of will be determined based on legal retention periods proscribed by current UK Legislation.
- 5.5 Notwithstanding the other provisions of this Section 5, Quest Training may retain your personal data where such retention is necessary, for compliance with a legal obligation to which we are subject, or in order to protect your vital interests, or the vital interests of another natural person.

## **6. Amendments**

- 6.1 Quest Training may update this Policy from time to time by publishing a new version on our website.
- 6.2 You should check this page occasionally to ensure you are happy with any changes to this Policy.
- 6.3 We will notify you of significant changes to this Policy by ensuring that the newest Policy is available to download from our website.

## **7. Your rights**

- 7.1 In this Section, Quest Training have summarised the rights that you have under Data Protection Law. Some of the rights are complex, and not all of the details have been included in our summaries. Accordingly, you should read the relevant laws and guidance from the regulatory authorities ([www.ico.gov.uk](http://www.ico.gov.uk)) for a full explanation of these rights.
- 7.2 Your principal rights under Data Protection Law are:
- (a) the right to access;
  - (b) the right to rectification;
  - (c) the right to erasure;
  - (d) the right to restrict processing;
  - (e) the right to object to processing;
  - (f) the right to data portability;
  - (g) the right to complain to a supervisory authority; and



(h) the right to withdraw consent.

- 7.3 You have the right to confirmation as to whether or not we process your personal data and, where we do, access to the personal data, together with certain additional information. That additional information includes details of the purposes of the processing, the categories of personal data concerned and the recipients of the personal data. Providing the rights and freedoms of others are not affected, we will supply to you a copy of your personal data. The first copy will be provided free of charge, but additional copies may be subject to a reasonable fee.
- 7.4 You have the right to have any inaccurate personal data about you rectified and, taking into account the purposes of the processing, to have any incomplete personal data about you completed.
- 7.5 In some circumstances you have the right to the erasure of your personal data without undue delay. Those circumstances include: when the personal data they hold on you is no longer necessary in relation to the purposes for which it was collected, or otherwise processed; you withdraw consent to consent-based processing; you object to the processing under certain rules of applicable Data Protection Law; the processing is for direct marketing purposes; and the personal data has been unlawfully processed. However, there are exclusions of the right to erasure. The general exclusions include where processing is necessary: for exercising the right of freedom of expression and information; for compliance with a legal obligation; or for the establishment, exercise or defense of legal claims.
- 7.6 In some circumstances you have the right to restrict the processing of your personal data. Those circumstances are: you contest the accuracy of the personal data; processing is unlawful but you oppose erasure; we no longer need the personal data for the purposes of our processing, but you require personal data for the establishment, exercise, or defence of legal claims; and you have objected to processing, pending the verification of that objection. Where processing has been restricted on this basis, we may continue to store your personal data. However, we will only otherwise process it: with your consent; for the establishment, exercise, or defence of legal claims; for the protection of the rights of another natural or legal person; or for reasons of important public interest.
- 7.7 You have the right to object to their processing of your personal data on grounds relating to your particular situation, but only to the extent that the legal basis for the processing is that the processing is necessary for: the performance of a task carried out in the public interest, or in the exercise of any official authority vested in us; or the purposes of the legitimate interests pursued by us, or by a third party. If you make such an objection, they will cease to process the personal information unless we can



demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing is for the establishment, exercise, or defence of legal claims.

- 7.8 You have the right to object to their processing of your personal data for direct marketing purposes (including profiling for direct marketing purposes). If you make such an objection, we will cease to process your personal data for this purpose.
- 7.9 You have the right to object to our processing of your personal data for scientific, or historical research purposes, or statistical purposes on grounds relating to your particular situation, unless the processing is necessary for the performance of a task carried out for reasons of public interest.
- 7.10 To the extent that the legal basis for our processing of your personal data is:
- (a) consent; or
  - (b) that the processing is necessary for the performance of a contract to which you are party, or in order to take steps at your request prior to entering into a contract and such processing is carried out by automated means, you have the right to receive your personal data from us in a structured, commonly used and machine-readable format. However, this right does not apply where it would adversely affect the rights and freedoms of others.
- 7.11 If you consider that their processing of your personal information infringes data protection laws, you have a legal right to lodge a complaint with a supervisory authority responsible for data protection. You may do so in the EU member state of your habitual residence, your place of work, or the place of the alleged infringement.
- 7.12 To the extent that the legal basis for our processing of your personal information is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.
- 7.13 You may exercise any of your rights in relation to your personal data by written notice to us.
- 7.14 Subject Access Request

You are entitled to request access on information we hold on you. Please contact the DPO.

## **8. About cookies**

- 8.1 A cookie is a file containing an identifier (a string of letters and numbers) that is sent by a web server to a web browser and is stored by the browser. The identifier is then sent back to the server each time the browser requests a page from the server.
- 8.2 Cookies may be either "persistent" cookies or "session" cookies: a persistent cookie will be stored by a web browser and will remain valid until its set expiry date, unless deleted by the user before the expiry date; a session cookie, on the other hand, will expire at the end of the user session, when the web browser is closed.
- 8.3 Cookies do not typically contain any information that personally identifies a user, but personal information that we store about you may be linked to the information stored in and obtained from cookies.

## **9. Cookies that we use**

- 9.1 Quest Training use cookies for the following purposes:
- (a) authentication - we use cookies to identify you when you visit our website and as you navigate our website
  - (b) status - we use cookies to help us to determine if you are logged into our website
  - (c) personalisation - we use cookies to store information about your preferences and to personalise the website for you
  - (d) security - we use cookies as an element of the security measures used to protect user accounts, including preventing fraudulent use of login credentials, and to protect our website and services generally
  - (e) advertising - we use cookies to help us to display advertisements that will be relevant to you
  - (f) analysis - we use cookies to help us to analyse the use and performance of our website and services
  - (g) cookie consent - we use cookies to store your preferences in relation to the use of cookies more generally

## **10. Managing cookies**

- 10.1 Most browsers allow you to refuse to accept cookies and to delete cookies. The methods for doing so vary from browser to browser, and from version to version. You can however obtain up-to-date information about blocking and deleting cookies via these links:
- (a) <https://support.google.com/chrome/answer/95647?hl=en> (Chrome);

- (b) <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences> (Firefox);
- (c) <http://www.opera.com/help/tutorials/security/cookies/> (Opera);
- (d) <https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies> (Internet Explorer);
- (e) <https://support.apple.com/kb/PH21411> (Safari); and
- (f) <https://privacy.microsoft.com/en-us/windows-10-microsoft-edge-and-privacy> (Edge).

10.2 Blocking all cookies will have a negative impact upon the usability of many websites.

10.3 If you block cookies, you will not be able to use all the features on our website.

## **11. Our details**

11.1 This website is owned and operated by Quest Training South East Ltd.

11.2 We are registered in England and Wales under registration number 03662885 and our registered office is at 8 Ormonde Court, Ormonde Road, Hythe, England, Kent CT21 6DP.

11.3 Our principal place of business is at Rabbits Farm, Rabbits Road, South Darenth, Dartford, Kent DA4 9JZ

11.4 You can contact us:

- (a) by post, to the postal address given above;
- (b) using our website contact form;
- (c) by email, using the email address published on our website.

12 Our Data Protection Officer's contact details are:

Jaz Bratch

DPO – Quest Training South East Ltd

Rabbits Farm

Rabbits Road

South Darenth

Dartford DA4 9JZ

This Policy should not be read in isolation, but is designed to be read in conjunction with Quest Training's Retention Policy.

## Data Breach Policy

The General Data Protection Regulation (GDPR) aims to protect the rights of individuals about whom data is obtained, stored and processed requires that organisations take appropriate security measure against unauthorised access, alteration, disclosure or destruction of personal data.

### What is a Data Breach?

A data breach is a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure, or access to, personal data.

Examples of a data breach could include the following:

- Loss or theft of data or equipment on which data is stored, for example loss of a laptop or a paper file (this includes accidental loss)
- Inappropriate access controls allowing unauthorised use

### What is Quest Training South East Ltd procedure for a Data Breach Notification?

In the case of a data breach, Quest Training South East Ltd Data Protection Officer (DPO) shall communicate the Breach to Quest Training South East Ltd Management without undue delay. In the event of the breach being reported to Quest Training South East Ltd Management in the first instance, they shall ensure that this is reported to the DPO as soon as possible; ideally within 2 hours.

The DPO shall then communicate this beach without undue delay and, where feasible, not later than 72 hours after having become aware of it, notify the personal data breach to the supervisory authority.

### When Does Quest Training South East Ltd need to tell individual data subjects about a breach?

If a breach is likely to result in a high risk to the rights and freedoms of individuals, the GDPR says Quest Training must inform those concerned directly and without undue delay.

A 'high risk' means the threshold for informing individuals is higher than for notifying the ICO.

If the impact of the breach is more severe, the risk is higher; if the likelihood of the consequences is greater, then again the risk is higher. In such cases, Quest Training South East Ltd will need to promptly inform those affected, particularly if there is a need to mitigate an immediate risk of damage to them. One of the main reasons for informing individuals is to help them take steps to protect themselves from the effects of a breach.

Quest Training South East Ltd will ensure that we record all breaches, regardless of whether or not we need to be reported to the ICO.

## Preventing Future Breaches

Once the data breach has been dealt with, Quest Training will consider its security processes with the aim of preventing further breaches. In order to do this Quest Training will:

- Establish what security measures were in place when the breach occurred.
- Assess whether technical or organisational measures can be implemented to prevent the breach happening again.
- Consider whether there is adequate staff awareness of security issues.
- Consider whether further audits or data protection steps need to be taken.

Changes to data protection legislation will be monitored and further amendments may be required to this Policy in order to remain compliant with legal obligations.

## Records Retention Policy

### 1. Introduction

- 1.1. This Policy deals with the appropriate procedures for the retention and disposal of information by Quest Training, to ensure that we do this consistently, and that we document any actions taken. Unless otherwise specified the Retention and Disposal Policy refers to both physical and electronic records.
- 1.2. From here on in this document references to the Quest Training will be simplified to 'Quest'.
- 1.3. In scope are all people, information, technologies, resources and facilities that deal with electronic and physical records for which Quest is responsible.
- 1.4. There are specific rules that apply to the retention of documents with regards to ESF funded and match funded qualifications; documents must be retained until at least for 7 years.

### 2. Review of Records

- 2.1. Review is the examination of records at the end of their retention period to determine whether they should be permanently destroyed, retained for longer or transferred to an archive.

### 3. Records Retention

- 3.1. Records should be retained only for as long as they are needed to meet our operational and business needs, and to comply with legal and regulatory requirements. We have assessed our records to determine:
  - their value to Quest
  - their importance as evidence of activities and decisions
  - any regulatory retention requirements, such as current: Data

Protection, Freedom of Information and Limitation legislation and regulations

## 4. Disposal

4.1. Records fall into two main categories for disposal:

- Destroy after an agreed period – where the useful life of a series or collection of records can be easily predetermined (for example, destroy after 3 years; destroy 2 years after the end of the financial year).
- Review – see 2 above.

4.2. Records shall be destroyed as follows:

- Non-sensitive paper information can be disposed of using recycle bins where appropriate
- Confidential information must be disposed of using a cross cut shredder, pulped, burnt or destroyed via Quest's contractor

4.3. Destruction of confidential information in electronic form should be carried out in such a way that it cannot be recovered. Advice should be sought from Skynet ICT.

4.4. It is not necessary to document the disposal of records which appear on the Disposal Plan. Records disposed of outside of the Plan, for example by being disposed of earlier, or kept for longer, will need to be recorded for audit purposes.

## 5. Sharing

5.1. Copies of records should be destroyed when no longer required for the purpose they were copied. Where information has been regularly shared between departments, only the original records should be retained:

5.2. Where Quest shares information with other organisations, we must ensure that they have adequate procedures for records to ensure that the information is managed in accordance with our policies, as well as current legislative and



regulatory requirements.

5.3. Where appropriate we may carry out a data privacy impact assessment.

## 6. Guidelines for archiving

6.1. The following schedule sets out the periods for which documents should be retained in relation to key business areas and to meet operational needs. In some cases, retention periods will be determined by statutory requirements while others will reflect the requirements of Quest.

6.2. The period of retention refers to that period after the current year and applies to both electronic and hard copy documents:

Document		Maintained By	Retention Period	Location of Archive
<b>Apprentice Records</b>				
1.	Course/Subject Details	Contracts Administrator	Life of Course + 5 years	Admin Office
2.	Course/Subject Materials	Contracts Administrator	1 year	Admin Office
3.	Advice and Guidance	Business Development Director	Current + 6 years	Business Development Office & Capsule CRM
4.	Coursework	Curriculum Leads	1 year from completion	LIQA
5.	Safeguarding	Safeguarding Officer	Until the data subject reaches the age of 25	Safeguarding Drive
6.	Apprentice/Learner Details (contact number & email address)	Tutor	6 months after completion	N/A
7.	Apprentice/Learner details/certificates after completion	Administrator	7 years	Admin Office & Drive

Key contact information:

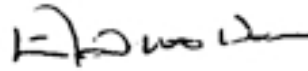
Data Protection Officer – Jaz Bratch

Email – [DPO@questfortraining.com](mailto:DPO@questfortraining.com) Phone Number – 01474 704441

This Policy will be reviewed and updated yearly as part of Quest Training's quality assurance cycle.

I confirm that this Policy is authorised and approved by Elaine Wain – Strategic Director.

Signature:



Date: 2/10/23

Date of next review: 2/10/24