



GDPR General Data Protection Regulations and Data Protection Act 2018

1. INTRODUCTION

The UK General Data Protection Regulation (GDPR) includes rules on giving privacy information to data subjects. These are more detailed and specific than in the Data Protection Act (DPA) and place an emphasis on making privacy notices understandable and accessible. Data controllers are expected to take 'appropriate measures'.

The GDPR says that the information you provide to people about how you process their personal data must be:

- Concise, transparent, intelligible, and easily accessible
- Written in clear and plain language, particularly if addressed to a child.
- Free of charge.

These requirements are about ensuring that privacy information is clear and understandable for data subjects.

Up To Speed Training & Assessment Ltd shall comply with the GDPR requirements by ensuring our privacy statement includes:

- Identity and contact details of Up To Speed Training & Assessment Ltd and the data protection officer
- Purpose of the processing and the lawful basis for the processing
- The legitimate interests of Up To Speed Training & Assessment Ltd or third party, where applicable
- Categories of personal data/any recipient or categories of recipients of the personal data
- Details of transfers to third country and safeguards
- Retention period or criteria used to determine the retention period.
- The existence of each of data subject's rights
- The right to withdraw consent at any time, where relevant
- The right to lodge a complaint with a supervisory authority.
- The source the personal data originates from and whether it came from publicly accessible sources.
- Whether the provision of personal data is part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the personal data
- The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences.
- Data Breach procedure.

2. RESPONSIBILITIES

The Data Protection Officer is responsible for ensuring that this notice is made available to data subjects prior to Up To Speed Training & Assessment Ltd collecting/processing their personal data. All Employees/Staff/3rd party Sub-Contractors of Up To Speed Training & Assessment Ltd who interact with data subjects are responsible for ensuring that this notice is drawn to the data subject's attention and their consent to the processing of their data is secured.

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GDPR PRIVACY STATEMENT

Identity and contact details

If you would like to discuss anything in this privacy notice, please contact: The Data Protection Officer at

- Up To Speed Training & Assessment Ltd, 411 Long Acre, Nechells, Birmingham. B7 5JX
- Mr Simon Booth, Associate Director, Tel: 0121 326 8696 or email: simon@utstraining.co.uk

Purpose of the processing

Up To Speed Training & Assessment Ltd take your privacy seriously and will only use your personal information to administer your account, personalise your use of the website, and to provide the products and services you have requested from us.

In order for 'users' to use some of our online services and to respond to enquiries we need to collect and process various personal data. Users may be asked to complete an online form(s) which request, name, address, date of birth, e-mail and telephone number. The personal data we collect is used to process your request for our services.

All information provided will be treated as confidential and will only be used for the purpose intended. Anyone can contact Up To Speed Training & Assessment Ltd to correct or update personal information in our records.

What information do we collect?

We collect information that you provide to us via our website www.utstraining.co.uk, during the booking process, when completing the Learner Induction or post event course feedback, For example, the information you provide if you request information, or purchase goods or services via our website. if you contact us, we may keep a record of that correspondence.

The sort of information we hold is in accordance with the awarding organisation requirements and may include date of birth, employers name, learner name, gender, address, telephone number, email address, photo identification; learner cards and certificates; information needed for equal opportunities monitoring. In addition, we may also hold your credit application form; references; and bank details.

What do we use personal information for?

We may use the information we hold about you in the following ways:

- to provide you with information about our products, services, expiring qualifications and upcoming events if you have consented to be contacted for such purposes.
- to notify you about any important information about, or changes to, our products and services
- to provide you with products and services requested by you.

Corrections/Accuracy

We will endeavour to ensure that all personal data held in relation to all data subjects is accurate. Data subjects must notify Up To Speed Training & Assessment Ltd of any changes to information held about them.

The lawful basis

Up To Speed Training & Assessment Ltd will process data for the specific and lawful purpose for which it is collected and not further process the data in a manner incompatible with this purpose.

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We collect and use information for general purposes where:

- the data subject has given consent to the processing of his or her personal data for one or more specific purposes.
- processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.
- the data subject has given explicit consent to the processing of those personal data for one or more specified purposes.

Categories of personal data

We will ensure that the reason for which it collected the data originally is the only reason for which it processes those data, unless the individual is informed of any additional processing before it takes place. We will ensure that the data is adequate, relevant, and not excessive in relation to the purpose for which it is processed.

Personal data

We may collect 'personal data' relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier. This may include the data subjects name, date of birth, location data, online identifier or other unique identity reference.

Sensitive Personal Data

We may, from time to time, be required to process sensitive personal data. Sensitive personal data includes photographic images of learners and data relating to gender, religion, race, sexual orientation, and criminal records and proceedings.

Disclosure to third parties

We will not sell or license your personal information to any third party. However, we may disclose your personal information:

- to any member of Up To Speed Training & Assessment Ltd
- contractors engaged by us to provide services on our behalf.
- in order to provide you with any products or services you have purchased or requested including awarding organisations.
- if we are under a duty to disclose or share your personal data in order to comply with any legal obligation to do so.

Details of transfers to third country

We will not transfer your personal information to countries that do not have adequate data security law.

Retention period

Up To Speed Training & Assessment Ltd may retain data for differing periods of time for different purposes as required by statute, best practices or specific requirements of an awarding organisation.

Data subject's rights

You have the right to request access to information about you that we hold. 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.

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Any data subject wishing to access their personal data should put their request in writing to the Data Protection Officer at simon@utstraining.co.uk who will endeavour to respond to any such written requests as soon as is reasonably practicable and, in any event, within 1 month.

The right to withdraw consent.

Withdrawal of consent shall be without effect to the lawfulness of processing based on consent before its withdrawal.

- We make it easy for individuals to withdraw their consent at any time.
- We act on withdrawals of consent as soon as we can.
- We do not penalise individuals who wish to withdraw consent.

You may withdraw consent at any time by putting your request in writing to the Data Protection Officer at simon@utstraining.co.uk who will endeavour to respond to any such written requests as soon as is reasonably practicable and, in any event, within 40 days.

Withdrawal of consent may negatively impact on your ability to gain a qualification.

The right to lodge a complaint.

Data subjects are able to complain to Up To Speed Training & Assessment Ltd about:

- how their personal data has been processed.
- how their request for access to data has been handled
- how their complaint has been handled
- appeal against any decision made following a complaint.

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 by emailing the Data Protection Officer at simon@utstraining.co.uk. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/> Up To Speed Training & Assessment Ltd are registered with the ICO as required. (Registration No. Z2924621)

The source the personal data

All personal information provided to us is stored on the secure servers of sub-contractors that we have engaged to provide services on our behalf, namely Google.

Statutory or contractual requirements

We will make you aware if we need to collect data for the purpose of statutory or contractual requirements. We will keep this data and use it to enable us to run our business and manage our relationship with you effectively, lawfully and appropriately.

Automated decisions

We do not use automated decision making (including profiling) in any circumstances.

Unsubscribing

You may unsubscribe from our marketing communications at any time by putting your request in writing to the Data Protection Officer at simon@utstraining.co.uk or unsubscribing from the marketing communication via the platform we have engaged with to provide these services.

Websites and cookies

This section applies to anyone accessing Up To Speed Training & Assessment Ltd.'s website.

A cookie is a small file, typically of letters and numbers, downloaded on to your device (e.g., your PC) when you access Up To Speed Training & Assessment Ltd.'s website. Cookies allow the website to recognise your device and so distinguish between the different users that access the site.

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Session cookies will remember your selections as you browse the site. These cookies are for the browsing session and not stored long term. No personal information is collected by these cookies.

Google Analytics cookies help us to make the website better for you by providing us with user statistics, for example: which pages are the most visited; how a user navigates the site. No personal information is collected by these cookies.

You may delete or control the use of cookies through your browser settings, but this may limit the functionality of the website. The site and our computer systems have security measures in place with the aim of protecting the loss, misuse or alteration of the information 'users' provide to us.

To find out more about cookies and what cookies might be stored on your device, visit www.aboutcookies.org or www.allaboutcookies.org

Data Breach Procedure

Purpose

This procedure sets out the actions to be taken in the event of a personal data breach to ensure compliance with UK GDPR and to minimise risk to individuals whose data is affected.

Definition of a Data Breach

A personal data breach is defined as any breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data. This includes breaches that are:

- **Confidentiality breaches** (unauthorised disclosure/access)
- **Integrity breaches** (unauthorised alteration)
- **Availability breaches** (loss or destruction of data)

Examples of Data Breaches

Examples include, but are not limited to:

- Loss or theft of laptops, USB drives, or paper records containing personal data
- Sending personal data to the wrong recipient
- Unauthorised access to systems or records
- Cyberattacks (e.g. phishing, ransomware)
- Accidental deletion of personal data

Reporting a Data Breach

All staff must report any suspected or actual data breach **immediately** to the Data Protection Lead (Simon Booth) via email. Both the managing director and commercial director **MUST** be CC'd into the email.

Reports should include:

- Nature of the breach
- Type of data involved
- Number of individuals affected (if known)
- Date and time of the breach
- How the breach occurred

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- Any actions already taken

Failure to report a breach within 24 hours may result in disciplinary action.

Initial Assessment

Upon notification, the Data Protection Lead will:

- Assess the nature and severity of the breach
- Identify the type and sensitivity of data involved
- Determine the number of individuals affected
- Evaluate the potential risk to individuals' rights and freedoms

All breaches must be recorded in the organisation's communications tracker *092 UTS Communications Tracker*, regardless of severity.

Containment and Recovery

Immediate steps must be taken to contain the breach and minimise harm, such as:

- Recovering lost data where possible
- Securing systems or accounts
- Changing access credentials
- Notifying IT support if relevant
- Preventing further unauthorised access

Notification to the ICO

If the breach is likely to result in a risk to individuals' rights and freedoms, the Data Protection Lead must report it to the Information Commissioner's Office (ICO) within **72 hours** of becoming aware of the breach.

The report will include:

- Description of the breach
- Categories and approximate number of individuals affected
- Likely consequences
- Measures taken or proposed to address the breach

If the breach is not reported within 72 hours, reasons for the delay must be documented.

Communication to Affected Individuals

Where a breach is likely to result in a **high risk** to individuals (e.g. identity theft, financial loss), affected individuals must be informed without undue delay.

The communication will include:

- Description of the breach
- Likely consequences
- Advice on steps individuals can take to protect themselves
- Contact details for further information

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Investigation and Review

Following a breach, a full investigation will be conducted to:

- Identify the root cause
- Evaluate the effectiveness of the response
- Implement corrective actions to prevent recurrence

This may include:

- Updating policies and procedures
- Additional staff training
- Technical or organisational improvements

Record Keeping

All breaches, whether reportable or not, must be documented. Records should include:

- Facts relating to the breach
- Its effects
- Remedial actions taken

These records must be retained in line with the organisation's data retention policy.

Responsibilities

- **All Staff:** Responsible for reporting breaches immediately
- **Data Protection Lead:** Responsible for managing breaches, reporting to ICO, and maintaining records
- **Management:** Responsible for ensuring appropriate resources and corrective actions

Training and Awareness

All staff will receive regular data protection training, including how to identify and report data breaches.

Consent

Consent is required for Up To Speed Training & Assessment Ltd to process both types of personal data, but it must be explicitly given.

I hereby grant Up To Speed Training & Assessment Ltd authority to process my personal data for the purpose of subscribing/purchasing Up To Speed Training & Assessment Ltd products and services.

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The sort of information we hold is in accordance with the awarding organisation requirements and may include date of birth, employers name, learner name, gender, address. telephone number, email address, photo identification; learner cards and certificates; information needed for equal opportunities monitoring. In addition, we may also hold your credit application form; references; and bank details.

All information provided will be treated as confidential and will only be used for the purpose intended.

I am aware that I may withdraw my consent at any time.

(Refer to Form 045 UTS Learner Information Sheet)



Simon Booth
Associate Director

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