

Privacy Notice – Learners, Parents/Guardians, Tutors, Employers, Enquirers

1. Introduction

This notice applies to all learners on our training programmes, (“**Learners**”), those individuals who show interest in and/or apply for training programmes (“**Prospective Learners**”) parents/guardians of Learners, teachers, tutors of partners organisations working in conjunction with Total People, Employers and Prospective Employers where applicable (“**you**” or “**your**”).

There is a bite-size version of this policy available at: <https://www.totalpeople.co.uk/privacy/>

2. What is the purpose of this document?

Total People Limited (company number 06380764) (“**Total People**”, “**we**”, “**our**”, “**us**”), a wholly owned subsidiary of LTE Group (a statutory corporation and an exempt charity for the purposes of the Charities Act 2011), is committed to protecting the privacy and security of your personal information. This data protection notice describes how we collect and use personal information about you in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation (the “**GDPR**”), together with other UK data protection laws. More information can be found at: <https://www.totalpeople.co.uk/privacy/> You can also contact our Data Protection Officer at dpo@ltegroup.co.uk if you have any questions regarding this document.

For the purposes of this document we are a "data controller". This means we are responsible for ensuring your data is handled in a secure way, and we have included in this document all of the privacy information that you should be aware of.

As a data controller we are responsible for deciding how we hold and use any personal information about you. We are required, under data protection legislation, to notify you of the information contained in this document. This notice explains what personal data we hold about you, how we share it, how long we keep it and what your legal rights are in relation to it.

3. Data protection principles

UK data protection law says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes
3. Relevant to the purposes we have told you about and limited only to those purposes
4. Accurate and kept up to date
5. Kept only as long as necessary, for the purposes we have told you about
6. Kept securely

And that we, as the data controller, will be responsible for demonstrating our compliance with the above Principles

4. The kind of information we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are **special categories** of more sensitive personal data which require a higher level of protection, such as, race, ethnicity, religious or philosophical beliefs, health, sexual orientation, etc.

The categories of personal information that we may collect, store, and use about you include:

Learners

- Personal contact details, e.g. name, title, address, telephone number, and personal email address
- Date of birth
- Gender
- Next of kin/emergency contact information
- National Insurance number
- Bank account details and tax status information
- Employment status
- Household situation
- Unique learner number
- Photo identification
- CCTV images
- Household situation

We may also process the following "**special categories**" of more sensitive personal information:

- Race, religion, nationality or ethnicity
- Sexual orientation
- Health information, medical condition or injuries, and learning difficulty and disability status
- Education, health and care plan information (EHCP)
- Criminal convictions and offences

Prospective Learners (Applicants)

- Name
- Email address
- Data of birth
- Gender
- Address
- Telephone number
- Qualifications
- Previous education provider
- Town/sector

Next of Kin, Emergency Contact, Teachers, Tutors, Employers, Prospective Employers

Personal contact details, e.g. name, title, address, telephone number, and personal email address

5. How is your personal information collected?

We typically collect personal information about Learners through the information you provide to us during the enquiries/application/enrolment process.

We may collect other additional personal information in the course of our relationship with you. If you have an EHCP, we will collect this information from the Local Authority.

6. How will we use information about you

Some of the below grounds for processing will overlap and there may be several grounds which justify our use of your personal information. We may process your personal information without your knowledge or consent where this is required or permitted by law.

In a small number of cases where other lawful bases do not apply, we will seek your *consent* to other uses of your personal data.

We may use your personal information as follows:

Learners

To deliver and administer your training programme and related services

Our lawful basis for these activities is that the processing is necessary for the performance of a task (education), carried out in the *public interest*. It is also necessary for the purposes of taking steps prior to entering into a *contract* with you.

Equal opportunities monitoring

Our lawful basis is to carry out our duties in the public interest. We collect this data to ensure meaningful equal opportunities monitoring and reporting. More information on equality and diversity can be found at: <https://www.ltegroup.co.uk/about-us/group-publications/annual-publications/>

Information about criminal convictions

We will only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our Data Protection Policy.

Our lawful basis for these activities may be:

- Necessary for compliance with a *legal obligation*
- Necessary for the performance of a *contract* to which you are a party, or in order to take steps at your

request prior to entering into a contract

- Necessary for the purposes of *public interests*

We have in place an appropriate policy and safeguards which we are required by law to maintain when processing such data.

Complying with health and safety obligations

This is necessary for us to comply with our *legal obligations*.

Research and planning purposes within the LTE Group (trading as The Manchester College)

From time to time, as an education provider, we conduct research to help us improve our educational offer (such as seeking feedback from learners). We usually rely on *public task* as our lawful basis to do this, to help us improve our services in education and continuous improvement. In some cases, it may be that we've identified there may be a *legitimate interest* to carry out certain processing, otherwise we will always look to gain consent from individuals (such as for conducting telephone questionnaires with learners about their experience with us).

Complaints

If you make a complaint about our services, data will be shared internally as part of the investigation process. Our policy can be viewed at:

https://www.totalpeople.co.uk/media/filer_public/06/76/0676cfd4-4002-47d0-bd1a-e0156ddb4d5a/tp-complaints-policy.pdf

All information will be handled in accordance with data protection law, and only shared with members of staff who need to know as part of the complaint investigation process. You have the right to withdraw your consent to this at any time, however, this may impact the investigation process.

Emergencies

We may also use your personal information, typically in an emergency, where this is necessary to protect your vital

Prospective Learners (Applicants)

To process your application for one of our training programmes

Our lawful basis is that the processing is necessary for performance of a contract with you (to deliver and administer your education), or to take steps at your request prior to your enrolment in any programme or activity.

Teacher, Tutor of Partner Organisations working in conjunction with Total People

For project management purposes, including training programme(s) requirements

Our lawful basis for these activities is that the processing is necessary for the performance of a task (education) carried out in the *public interest*.

interests, or someone else's vital interests. In a small number of cases, where other lawful bases do not apply, we will seek your consent to other uses of your personal data.

Other sharing agreements

There may be occasions where you request us to use your personal information for a specific purpose, for example: disability services, marketing and promotional activity, disclosures to parents or other third parties at your request, etc. How we collect this *consent* will depend on the scope and context of the request. We will provide specific information to you at the appropriate time, explaining why we are seeking to collect this information, how we will use it, and how consent can be withdrawn.

Next of Kin, Emergency Contact

To contact you in an emergency

We may use your personal information, typically in an emergency, where this is necessary to protect an individual's *vital interests*.

Employer at an organisation supporting the learner on a training programme

For project management purposes, including training programme(s) requirements

Our lawful basis for these activities is that the processing is necessary for the performance of a task (education) carried out in the *public interest*. It is also necessary for the purposes of taking steps prior to entering into a contract with you.

Complying with health and safety obligations

This is necessary for us to comply with our *legal obligations*.

7. How we use special category personal data

Special categories of personal data require higher levels of protection. We need to have further justification for collecting, storing, and using this type of data. Special category data includes racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership information, genetic, biometric, and health data, and sex life or sexual orientation data. We will process special categories of personal data in accordance with the law, and typically in the following circumstances:

- The processing is necessary for reasons of substantial *public interest*, e.g. to monitor and promote equal opportunities, to prevent dishonesty, malpractice, improper conduct and other unlawful acts, to support individuals with a particular disability or medical condition, for the safeguarding of children and individuals at risk and to comply with immigration legislation
- In limited circumstances and with your explicit *consent*: we will provide you with full details for the information that we would like and the reason we need it, so that you can carefully consider whether you wish to *consent*, which you can withdraw at any time

The kinds of special category personal data we process are listed [above](#).

Do we need your consent?

We do not need your consent to process your special category personal data where we are processing it for the following purposes, as these satisfy another legal justification:

- Where we need to carry out our *legal obligations*
- Where you have already made the data public
- Where it is necessary to protect your *vital interests*, or those of another person, and where you/they are physically or legally incapable of giving consent (e.g. in an emergency situation where health, wellbeing or welfare is at risk)
- Where processing is necessary for the establishment, exercise or defence of legal claim
- Where the processing is necessary in the *public interest* for the purposes of protecting the public

In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

8. If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to provide access to our programmes, or we may be prevented from complying with our *legal obligations* (such as obtaining payment for services provided, or equal opportunities monitoring).

9. Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is

compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

10. Automated decision-making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We do not envisage that any decisions will be taken about you using automated means, however, we will notify you in writing if this position changes.

11. Data Sharing

We may share your personal information with third parties that are essential to your learning experience, such as funding and qualification bodies, external verification providers and hosted technology solution providers. This will only be undertaken as part of the administration and management of our professional courses. A full register of who we may share your personal data with and why is available on request: dpo@ltegroup.co.uk

All parties who we share data with are required to take appropriate security measures to protect your personal information, in line with our policies. We do not allow our third-party partners / service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

We may sometimes be obliged to disclose your personal information by law, such as by a regulator with appropriate power, or to otherwise comply with the law. In addition, information held by or for public bodies can be subject to freedom of information requests, however any information disclosed would not breach your privacy rights.

We will not transfer your data outside the European Union without first notifying you of our intentions and of the safeguards that apply to your data.

12. Photography and Videography

From time to time, photographs and videos are taken on and off campus as part of college life and for marketing, educational and promotional purposes. These images could be used in print and digital media formats including, print publications, websites, e-marketing, poster banners, advertising, film, social media, and for teaching and research purposes, etc. We do this to help showcase the work we do as an education provider and to support what our learners are achieving.

When using images or recordings of people where individuals feature prominently and are clearly identifiable, a Consent Declaration must be signed. The consent form will be stored alongside the images for as long as the image/recording is retained.

We will not keep images/recordings for longer than necessary and they will not be used other than for their original purpose. You may withdraw your consent at any time and all images will

be removed from the College drive immediately, however, withdrawal of *consent* will only affect further processing and any published material will not be recalled.

Please note, any images used on websites can be viewed throughout the world and not just in the United Kingdom, and some overseas countries may not provide the same level of protection to the rights of individuals as the EU/UK legislation provides.

When is a consent form not necessary?

A consent form is not necessary when there is a large group of people with no one standing out e.g. at an event. We will notify those in attendance that photography or filming will be taking place either verbally, or with clear and visible signage, and those who do not wish to be in a photograph or recording can opt out by contacting any member of college staff.

More information on how we use your images can be obtained from:

marketing@ltegroup.co.uk

13. CCTV

We operate CCTV at our Metro House site in Macclesfield. Under the Data Protection Act, we are the 'data controller' for the images produced by the CCTV system. The CCTV systems are compliant with the requirements of the Data Protection Act. Signs are placed around campuses in order to inform staff, learners, visitors, and members of the public that CCTV is in operation.

The principal purposes of our CCTV system are as follows: crime prevention, campus security, health and safety - to assist in the investigation of suspected breaches of regulations by staff, learners or the general public. We seek to operate its CCTV system in a manner that is consistent with respect for the individual's privacy.

Cameras are not monitored, unless responding to an identified incident and are kept in a secure area. The cameras installed provide images that may be of suitable quality for the specified purposes for which they are installed, the images are retained for no longer than 7-28 days from the date of recording. All images recorded by the CCTV System remain the property of the College. The monitoring, viewing of, recording of staff activities will be carried out in accordance with our CCTV Policy and Total People employment practices.

The **LTE Group CCTV Policy** is available on request: dpo@ltegroup.co.uk

14. Data Security

We have measures in place to help protect the security of your information.

- Where the infrastructure is in our direct control, we have put in place appropriate security measures to help prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a legitimate need to know. They will only process your personal information on our instructions, and they are subject to a duty of confidentiality.

- We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach, where we are legally required to do so.

It should be recognised that some learner data, including information contained in email or on some learner web applications, is held on cloud or web services provided and supported by external organisations. You must ensure you adopt secure working practices when using any IT system, network or application to communicate and store information. This includes protecting your logon credentials and not sharing or allowing others to know or use these.

15. Data Retention

How long will you use my information for?

We will only retain your personal information for as long as is necessary to fulfil the purposes which we collected it for. Details of retention periods for your personal information are available in our **Records Management Policy** and **Data Retention Schedule** which is available on request from dpo@ltegroup.co.uk

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

Once we no longer require access to your personal information we will retain and securely destroy it in accordance with our data retention policy and applicable laws and regulations.

16. Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes.

17. Your individual rights in connection with personal data

Under certain circumstances, by law, you have the right to:

Request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

Request correction of the personal information that we hold about you. This enables you to have any incomplete or

inaccurate information we hold about you corrected.

Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have

exercised your right to object to processing (see below).

Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground.

Request the restriction of processing of your personal information. This enables

Please be aware that these rights are subject to certain conditions and exceptions, as set out in UK data protection law.

If you wish to invoke any of the above rights please contact us via email: dpo@ltegroup.co.uk

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Further guidance on your rights is available from the Information Commissioner's Office (<https://ico.org.uk>). You have the right to complain to the Information Commissioner's Office at <https://ico.org.uk/concerns> if you have any concerns in respect of our handling of your personal information.

18. If you are unhappy with how we have handled your data

If you are unhappy with how we have handled your data, you may lodge a formal complaint with the following department:

The Company Secretary & General Counsel
Executive Suite
LTE Group
Ashton Old Road
Manchester
M11 2WH

dpo@ltegroup.co.uk

you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

Request the transfer of your personal information to another party.

Suspend processing of your personal information, for example if you want us to establish the accuracy of the data we are processing.

If you do not wish to discuss this with us, or you are unhappy with our response, you also have the right to lodge a complaint with a supervisory authority, the Information Commissioner's Office (ICO). This can be done through live chat on the ICO website, or via the telephone:

www.ico.org.uk/livechat

0303 123 1113

More information on the ICO's complaint procedure can be accessed at:

<https://ico.org.uk/make-a-complaint/>

19. Changes to this document

We reserve the right to update this document at any time, for example if the law or regulatory requirements change, if technology changes or to make LTE's operations and procedures more efficient, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.