

COMMUNITY SYSTEMS

Data Privacy Policy



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Reviewed by:	Farida Mirza
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Introduction

Community Systems is committed to protecting your privacy when you provide your personal information.

This policy describes how Community Systems will collect and use your personal data and how we protect your privacy.

Please read this Policy carefully as it contains important information on your rights in relation to your personal data; who to contact; and how to contact supervisory authorities in the event that you would like to report a concern about the way in which we process your personal data.

Context and the General Data Protection Regulations

Community Systems is required to keep and share personal information about its employees and learners to perform tasks required by the business.

The legislation that governs the way this is done is Data Protection Act 2018, the UK's implementation of the General Data Protection Regulation (GDPR).

Everyone responsible for using personal data has to follow strict rules called 'data protection principles'. They must make sure the information is:

- used fairly, lawfully and transparently
- used for specified, explicit purposes
- used in a way that is adequate, relevant and limited to only what is necessary
- accurate and, where necessary, kept up to date
- kept for no longer than is necessary
- handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage

There is stronger legal protection for more sensitive information, such as:

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- race
- ethnic background
- political opinions
- religious beliefs
- trade union membership
- genetics
- biometrics (where used for identification)
- health
- sex life or orientation

There are separate safeguards for personal data relating to criminal convictions and offences.

Who we are

Community Systems is a limited company (Company No. 2806784). Our registered address is Ujima House, 388 High Rd, Wembley HA9 6AR.

We provide government-funded accredited and non-accredited training for adults through a number of subcontracting arrangements with other organisations.

For the purposes of the General Data Protection Regulation (Regulation (EU) 2016/679) (GDPR), Community Systems is the 'Processor' of learner personal data and the Secretary of State for education is the 'Controller' of that data.

Your personal information is used by the DfE to exercise its functions and to meet its statutory responsibilities, including under the Apprenticeships, Skills, Children and Learning Act 2009 and to create and maintain a unique learner number (ULN) and a personal learning record (PLR).

The Department for Education's Privacy statement can be found at: <https://www.gov.uk/government/publications/esfa-privacy-notice>

If you have any queries about this Policy, the way in which we process personal data, or about exercising any of your rights, you may contact our Privacy Officer by sending an email to howard.thraves@communitysystems.co.uk or writing to Privacy Officer, Community Systems, Ujima House, 388 High Rd, Wembley HA9 6AR

What personal data do we collect?

We collect a range of personal data from our employees and learners

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including: name, address, gender, date of birth, telephone, email, details about your residence status e.g. passport/ ID reference numbers, visa or Home Office documents.

We also collect sensitive data including ethnicity, benefit status, health and/or learning difficulty types.

All the above data is required under the employment & ESFA funding rules in order to carry out business activities. We also use this data to monitor and improve performance, achievements, security and health and safety to meet required quality standards e.g. Ofsted, Matrix and Awarding bodies.

We may also collect other categories of personal data to enable us to administer requests for reasonable adjustments or in relation to a specific qualification or programme, or if required to carry our quality assurance processes, investigations, complaints and appeals.

We are committed to ensuring that the information we collect and use is appropriate for the purpose of employment and education, and does not constitute an invasion of your privacy.

How do we use your personal data?

We use your personal data in accordance with the legal basis of public task: collecting the data is necessary to perform tasks that we are required to perform as part of our statutory function.

- Employment
- Claim/access funding for the services we provide
- Undertake administration in relation to products and/or services
- Contact you directly in relation to our quality assurance processes, investigations, appeals, and complaints;
- Contact you directly in relation to new and existing employment & training products, services, news, awards and events offered by Community Systems and/or our partner organisations
- To monitor and report on performance and quality of our services

Where/how do we keep sensitive data

All the data we collect from you either entered directly into databases or gathered on forms provided specifically for the contract your data is needed for. This means we do not gather more or less data than is needed to carry out the service and/or receive funding for that

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service.

Information from forms is transferred to secure electronic storage or access restricted file storage.

Electronic data is kept on secure cloud infrastructures provided by organisations with security certification.

Effective security is maintained to Cyber Essential Plus standards which include penetration testing and is reviewed annually. Any breach under the GDPR regulations must be recorded and reported to the information commission, the data subject and any contracting partners immediately.

We operate a clean desk policy such that no paperwork is left unattended and only remains on a desk when it is being worked upon. Otherwise all paperwork is secured in lockable cabinets in lockable offices. Our building also has a lockable shutter that is closed when the building is not manned.

It may be necessary at times to transport paperwork from one office to another or to our funding partners. In this case a lockable case/Pilot bag (not a backpack/handbag) with a padlock or combination lock must be used. The bag must be robust enough that it can't be cut open (with scissors or knife) and the use must be approved by a senior manager.

Where sensitive paperwork needs to be sent by post it must be:

- Double wrapped in plastic secure sealable envelopes (paperwork in one sealed, then that one put inside another and sealed)
- Posted by trackable post to the central office with a return address on them in case they are undelivered.

Who do we share your personal data with?

We only share your personal data with relevant third parties where necessary in relation to employment, learning, assessment or certification, including:

- The employment support parties
- The funding bodies
- Relevant partner organisations to whom we act as subcontractors in providing services. These may include local authorities, private providers and colleges
- Awarding bodies

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- Other Government Departments where required such as Department for Work and Pensions
- It may also be the case that personal information is provided to such organisations through agencies acting on their behalf.

We may also share your personal data if required by law, including to respond to requests by government or law enforcement authorities, or for the prevention of crime or fraud, or for the protection of life in the case of an emergency.

We ensure there is a contract in place with such third parties which include obligations in relation to the confidentiality, security, and lawful processing of any personal data shared with them.

In Line with the Department of Education Privacy statement, your information may be shared with third parties for education, training, employment and well-being related purposes, including for research. This will only take place where the law allows it and the sharing is in compliance with data protection legislation.

We take all reasonable steps to ensure that your personal data is always kept securely.

How long will we keep your personal data?

We will retain personal data no longer than is necessary for the purposes for which the personal data was collected/processed.

In most cases this period is set out by government to ensure we are able to comply with any contractual, legal, audit and other regulatory requirements, or any orders from competent courts or authorities.

Your rights

Right to Access

You have the right to request a copy of the personal data that we hold about you by contacting us by email or postal address given below. Please include with your request information that will enable us to verify your identity. We will respond within 1 month of request. Please note that there are exceptions to this right. We may be unable to make all information available to you if, for example, making the information available to you would reveal personal data about another person, or if we are legally prevented from disclosing such information, or if there is no basis for your request.

Right to rectification

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We aim to keep your personal data accurate and complete. We encourage you to contact us using the contact details provided below to let us know if any of your personal data is not accurate or changes, so that we can keep your personal data up-to-date.

Right to erasure

You have the right to request the deletion of your personal data where, for example, the personal data are no longer necessary for the purposes for which they were collected, where you withdraw your consent to processing, where there is no overriding legitimate interest for us to continue to process your personal data, or your personal data has been unlawfully processed. If you would like to request that your personal data is erased, please contact us using the contact details provided below.

Right to object

You have the right to object to the processing of your personal data where your personal data is being processed on the basis of legitimate interests or if your data is being processed for direct marketing purposes. If you would like to object to the processing of your personal data, please contact us using the contact details provided below.

Right to restrict processing

In certain circumstances, you have the right to request that we restrict the further processing of your personal data. This right arises where you have queried the accuracy of the personal data we hold about you and we are verifying the information, you have objected to processing based on legitimate interests and we are considering whether there are any overriding legitimate interests, or the processing is unlawful and you elect that processing is restricted rather than deleted. Please contact us using the contact details provided below.

Right to data portability

You have the right to request that some of your personal data is provided to you, or to another data controller, in a commonly used, machine-readable format. This right arises where you have provided your personal data to us, the processing is based on consent or the performance of a contract, and processing is carried out by automated means. If you would like to make such request, please contact us using the contact details provided below.

Please note that the GDPR sets out exceptions to these rights. If we

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	are unable to comply with your request due to an exception we will explain this to you in our response.
Contact	If you have any queries about this Policy, the way in which Community systems processes personal data, or about exercising any of your rights, you can contact our Privacy Officer by sending an email to howard.thraves@communitysystems.co.uk or writing to Privacy Officer, Community Systems, Ujima House, 388 High Rd, Wembley HA9 6AR
Complaints	If you believe that your data protection rights may have been breached, and we have been unable to resolve your concern, you may lodge a complaint with the applicable supervisory authority or to seek a remedy through the courts. Please visit https://ico.org.uk/concerns/ for more information on how to report a concern to the UK Information Commissioner's Office.
Changes to our Policy	This policy will be reviewed annually and any changes, where appropriate, notified to you by e-mail and posted clearly on the company website.