

# General Data Protection Regulations 2018

## Introduction and background to the policy

The purpose of our General Data Protection Regulation 2018 (GDPR) Policy is to outline Eden Training Solution's desire and commitment in fully complying with the Regulation which came into effect on 25<sup>th</sup> May 2018.

This Policy sets out the clear direction that Eden Training Solutions will take in continually developing its practice in order to maintain a positive impact on protecting data and regarding the processing of personal data including personally identifiable information defined in the existing Data Protection Directive (DPD), such as identification numbers and data specific to the individual's identity.

## The key principles of GDPR

### 1. Lawfulness, fairness and transparency

We will only use valid grounds under the GDPR (known as a 'lawful basis') for collecting and using personal data. This is to meet our contractual obligations with the Education & Skills Funding Agency (ESFA) who are also fully compliant with GDPR.

The ESFA is responsible for funding education and skills in England for children, young people and adults. It is also responsible for delivery of key services in the education and skills sector in England including the apprenticeship service, the provision of information, advice and guidance through the National Careers Service, and the Learning Records Service.

Eden will only use personal data in a way that is fair. This means that we do not process the data in a way that is unduly detrimental, unexpected or misleading to the individuals concerned. All data collected is fully explained and collected at source with the individuals' full consent.

We will be clear, open and honest with people from the start about how you will use their personal data.

### 2. Purpose limitation

We will be clear about what your purposes for processing are from the start.

We will record our purposes as part of your documentation obligations and specify them in your privacy information for individuals. This is fully outlined in the learner and employer sign up packs which is discussed as part of the sign-up process.

We will only use the personal data for a new purpose if either this is compatible with your original purpose, you get consent, or you have a clear basis in law.

### 3. Data minimisation

The data collected is adequate and is sufficient in properly fulfilling our stated purpose.

The information collected is relevant and has a rational link to that purpose; and is limited to what is necessary as we do not hold more than we need for that purpose.

#### 4. Accuracy

We will ensure that the data collected is accurate and that all reasonable steps have been taken to ensure the personal data we hold is not incorrect or misleading as to any matter of fact. Individuals have the right to request, check and amend/delete their data held with us as required.

If we discover that the personal data held is incorrect or misleading, then we would take reasonable steps to correct or erase it as soon as possible.

We would carefully consider any challenges to the accuracy of personal data.

#### 5. Storage limitation

We will not keep personal data for longer than we are legally obliged to keep it.

We will continually review the need for, and be able to justify, how long we keep the personal data for. This will depend on your purposes for holding the data.

We will carefully consider any challenges to the retention of data. Individuals have a right to erasure if you no longer need the data.

#### 6. Integrity and confidentiality (security)

We will ensure that we have appropriate security measures in place to protect the personal data we hold. We will ensure that data held on non Eden Training Solutions software by a third part is fully GDPR compliant.

We will process personal data securely by means of 'appropriate technical and organisational measures'.

We will continue the cycle of continuous improvements and carry out the appropriate review risk analysis, organisational policies, and physical and technical measures.

We will consider all additional requirements about the security of our processing methods which will include all data processors.

We will evaluate the costs of implementation when deciding what measures to take, but these will be appropriate both to our circumstances and the risk our processing poses.

We will ensure our measures meet all confidentiality, integrity and availability processes of our systems and services and the personal data we process within them.

We will also ensure that we are able to restore access and availability to personal data in a timely manner in the event of a physical or technical incident.

## 7. Accountability

We have the appropriate records in place to be able to demonstrate our compliance.

We have in place the appropriate technical and organisational measures to meet the requirements of accountability. We have:

- Adopted and implemented data protection policies;
- Checked our third party compliance with organisations that process personal data;
- Maintained documentation of our processing activities;
- Implemented appropriate security measures;
- Created processes for recording and, where necessary, reporting personal data breaches;
- Carried out data protection impact assessments for uses of personal data; and
- Designated the responsibility of data protection and security to an Executive Board member.

In addition, where it is necessary for the Data Processor (Eden Training Solutions) to process any Personal Data of which the Data Controller (ESFA) then that Data Processor shall:

- a) process such Personal Data on the other party's behalf only to the extent reasonably necessary to enable compliance;. The Data Controller will only collect your personal information where the law allows it, or we have a legal obligation to do so. Your personal information is collected to enable us to carry out the functions of the Department for Education (DfE); [Download ESFA Privacy Notice.](#)
- b) process such Personal Data only in accordance with the Data Controller's instructions;
- c) notify the Data Controller as soon as reasonably practicable and in any event within not less than 3 Business Days of any and all requests received by it from Data Subjects and/or the United Kingdom Information Commissioner (or any other regulatory authority) and provide all reasonable assisted and co-operation which is requested by the Data Controller in respect of such request.

Naturally we want to embody best practice in good information governance and data protection, so we want to tell you that:

- Eden Training Solution' s nominated Data Protection Officer is Scott Goddard (Director of Services) Contact telephone: 07764 966224 or via [scott@eden-ts.com](mailto:scott@eden-ts.com)
- If you ever want to know what information we hold about you, you can ask for it (make a subject access request).
- Eden staff are all trained in the use and handling of personal information, and we keep all personal information safe, secure and up to date at all times.
- We will tell you what we would use your data for and give you an opportunity to control what we do with it. You can do this at any time, as often as you like. We will always respect your decision.
- We are fully compliant with ESFA guidance on the transfer of personal data and do not hold or process any information outside of the UK.

We use Personal Information for the following reasons:

- To bid for, arrange and deliver contracts. For example, we will need and use the contact details of colleagues, learners and employers we work with, for work related purposes for the duration of contracts;
- To advise people about our services and invite them to take advantage of what we offer. We therefore keep a limited database of contact information for marketing purposes;
- To administer our business. For example, we keep details of people who work with us for invoicing, payment, tax and payroll/HR purposes;
- To support our colleagues, learners and employers,
- To comply with legal or regulatory requirements.

Examples of information we hold include

- Name and contact details;
- Employer and job title;
- National insurance No and Date of Birth;
- Financial details;
- We may also hold some sensitive classes of information such as gender and ethnicity, so we can review and improve our services to diverse groups;
- We do not buy or sell mailing lists. However, we would disclose information on request to the Police or any other statutory authority or regulator who has a reasonable need for these data to effectively conduct their business e.g. criminal investigations and/or for funding purposes.

**ENDS**