

Document Control		
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Document Title: Privacy Policy	Date of Next Review: See BP23 Compliance Assurance Schedule	
Version: 2.0	Author: C. Hughes / K. Smith	

Change Log				
Date:	Change Description:	Proposed:	Actioned:	Approved:
27 March 2018	Creation of policy to address requirements of GDPR	CH	CH	<i>KSmith</i>
15 May 2018	Addition of 'right to be forgotten', details regarding Cookies, Data Controller & Data Protection Officer	CH	CH	<i>KSmith</i>
26 Sept 2018	Addition of additional note re storage of data (geographical)	KS	CH	<i>KSmith</i>
28 Nov 2018	No change made – policy reviewed and reissued	KS	CH	<i>KSmith</i>
12 Dec 2019	Removed reference to Data Protection Officer	KS	CH	<i>KSmith</i>
25 Feb 2020	Inserted ICO Registration Number; Updated Section 7 to clarify how to request access to info/correction of info/deletion of info; Updated Section 6 to clarify for how long recruitment info is retained	HL	HL	<i>KSmith</i>
16 Dec 2020	Updated to reflect UK exit from EU on 31/12/2020	CH	HL	<i>KSmith</i>
8 <sup>th</sup> June 2021	Updated to reflect OFI's from 2021 Internal Assurance Review and implementation of C19 Testing for Capella Trainers	KS	HL	<i>KSmith</i>
21 <sup>st</sup> June 2021	Updated to reflect seeking consent to publish case studies on Capella's website	KS	HL	<i>KSmith</i>
12 <sup>th</sup> August 2021	Updated Document Classification and several other minor updates	KS	HL	<i>KSmith</i>
27 <sup>th</sup> September 2022	Updated to include link to latest DfE/ESFA Privacy Notice for KS5 and Adult Education Updated to remove references to C19 information	KS	HL	<i>KSmith</i>

## Purpose

The purpose of this policy is to set out the intentions and key tools that Capella Associates Limited will use to ensure that we are completely transparent about why we need the personal information we request and how we will use it.

We are totally committed to protecting your information and using it responsibly. Please read this policy carefully to understand how we collect, use and store your information.

The processing of your information is carried out by or on behalf of Capella Associates Limited.

**Data Controller:**

The Data Controller is Capella Associates Limited which is a registered company in England and Wales (5448801).

**Contacting us:**

If you have any questions about this Privacy Policy and how we use your information you can contact us by writing to us at our Registered Office:

Vinings,  
Bulls Head Yard,  
Alcester,  
Warwickshire,  
B49 5BX  
or by calling us on 01386 793981

or by emailing us at: [admin@capellaassociates.com](mailto:admin@capellaassociates.com)

**1. Why we use your information**

We will only use your information where we have a legal basis to do so and will always respect your rights.

Where we use your information, it may be because you have consented to us doing so, or because we consider we have a legitimate interest to do so. Where we do rely on a legitimate interest to use your information, we will always ensure that this is done in a way so as not to be intrusive or cause distress, and that respects your rights. Other reasons may include using information because we have a legal obligation to do so or because we must fulfil contractual obligations.

Some examples can be found below.

- You have given us your consent to use the information for a specified purpose, such as:
  - enrolment to a levy funded training programme (ie an apprenticeship training programme)
  - sending marketing emails to you

- publishing a case study or testimonial regarding your experience of a Capella training programme on Capella's website and/or social media sites
- We need to use your information to fulfil a contract with you or your employer;
- We are using your information in pursuit of a legitimate interest, for example, to ensure we meet our regulatory requirements as a levy funded training provider.

## **2. How we use your information**

### *2.1 To administer and fulfil our contractual and regulatory responsibilities regarding training provision*

We will use the information you give to us to ensure that we are able to fulfil our contractual obligations with you / your employer to provide training. This will include regulatory requirements regarding the collection and processing of information required by the Education and Skills Funding Agency (ESFA) for the administration and eligibility checking of funding, and the retention of documentation for regulatory audit purposes by both the ESFA and Ofsted. For further information regarding how the Department for Education (including the ESFA) uses your personal data, and how you can submit a request to the DfE regarding your personal data or make a Complaint to the DfE, please follow the link below to the DfE's Privacy Notice for Key Stage 5 and Adult Education:

[Privacy notice for Key Stage 5 and adult education - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

### *2.2 Sales and Marketing activity*

If you have completed a form or emailed us to enquire about our services, we will consider this as a request to send you details about future programmes, and we will use your details to contact you in relation to these as appropriate. Where you provide contact details, we will provide information by post, phone, or email, or any other channels for which you have provided your details.

If you have given your consent to Capella Associates publishing content on our website and/or social media sites in order to promote the benefits of Quality & Continuous Improvement Programmes then Capella may publish such information, in the form of Case Studies and/or Testimonials, on our website and/or social media sites.

### *2.3 To manage our recruitment*

When applying for a role with Capella Associates Limited, the personal data you provide as part of the recruitment process will only be held and processed for the purpose of the selection processes of Capella Associates Limited and in connection with any subsequent Associate contract that may be entered

into unless otherwise indicated. By submitting your personal information within your application, you are consenting to Capella Associates Limited holding and using it.

As part of the recruitment process, you will be required to provide certain information including your name, contact details, employment history and qualifications. This information is mandatory for Capella Associates Limited to consider your application, communicate with you about your application and where successful, follow up with references or to meet our statutory and regulatory responsibilities. We will also view social media profiles of applicants, such as LinkedIn, to the extent that it is relevant to your application.

### **3. Keeping your details up to date**

**Apprentices/Delegates:** If you move to a new house, or there are other changes to your personal details (eg change of name; change to hours of employment) during the course of your programme you should inform your Programme Manager who will ensure that your records are updated accordingly.

**Associates:** If you move to a new house, or there are other changes to your personal details (eg change of name) you should contact your Contract Manager who will ensure that your records are updated accordingly.

### **4. Sharing your information with other organisations**

We will never share your information with third parties for their own purposes, unless we are legally required to do so. For example, we are legally required to provide your data to the ESFA and Ofsted for regulatory purposes relating to Apprenticeship programmes. For further information regarding how the Department for Education (including the ESFA) uses your personal data, and how you can submit a request to the DfE regarding your personal data or make a Complaint to the DfE, please follow the link below to the DfE's Privacy Notice for Key Stage 5 and Adult Education:

[Privacy notice for Key Stage 5 and adult education - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

We also use suppliers known as 'data processors' to process data on our behalf, for example, for the administration of Apprenticeship programmes. When enlisting the services of such suppliers we ensure that they are under a contractual obligation to only use your information in accordance with relevant legislation and our instructions, and that they use your information for no other purposes.

## 5. Transferring your information outside the EEA

Capella Associates Limited, and the organisations who work on our behalf, will not transfer your information outside the EEA. However, we use cloud-based services for storage of documentation and as such we cannot guarantee the specific geographic location. Data may therefore be stored in the US.

Following the UK's exit from the EU/EEA on 31<sup>st</sup> December 2020, from which point in time rules and regulations relating to the transfer of data between the UK and the EU are likely to change, Capella Associates Limited will ensure that we check the current rules and regulations that are in force prior to transferring any personal data between the UK and the EU.

## 6. How long we keep your information

For apprenticeship programmes, we will hold your information for a period of seven years from the end of your apprenticeship programme in accordance with our regulatory obligations.

For non-apprenticeship programmes, we will hold your information only for the duration of your programme.

We will hold information relating to Associates for the entire period of an Associate Contract being in force, and for a period of seven years after the Associate Contract has ended.

If you would like to know how long we will hold any specific information, then please contact us and we can provide further details.

## 7. Your rights

Under the UK General Data Protection Regulations (UK GDPR) you have the following rights:

- **Information Right** – the right to receive the information contained in this policy and our data collection forms about the way we process your personal data.
- **Personal Data Access Right** – the right to know that we are processing your personal data and, in most circumstances, to have a copy of your personal data that we hold. You can also ask for certain other details, such as what purpose we process your data for and how long we hold it.
- **Personal Data Correction Right** – you have the right to request that we correct inaccurate data or update incomplete data that we hold on you.

- **Personal Data Erasure Right** – known as the right to be forgotten. In certain circumstances you may request that we erase your personal data held by us.
- **Personal Data Restriction Right** – You have the right to restrict the way we process your personal data in certain circumstances, for example if: you contest the accuracy of the data, if our processing is unlawful, to pursue legal claims, or where we are relying on legitimate interests to process data.
- **Data Processing Objection Right** – You have the right to object to us processing your data for example: for direct marketing purposes
- **Data Portability Right** – you have the right to receive a copy of certain personal data or to have it transferred to another organisation in some circumstances

If you would like to exercise any of the above Rights, please contact us using the Contact Details contained on Page 2 of this Policy.

#### *7.1 Right to Withdraw Consent at any time*

Where we use your personal information based on your prior consent, for example where you have given us permission to send you marketing communications by post or email, you can withdraw your consent at any time by contacting us (See Page 2 of this Policy for details on how to contact us).

#### *7.2 Right to be forgotten*

In certain circumstances you may request that we delete all personal information relating to you. If you wish to exercise this right, please contact us (See Page 2 of this policy for details on how to contact us).

## **8. Cookies**

We use 2 types of system Cookies on our website:

- Cookies that are required for the site functionality to work. These do not collect or hold any personal data.
- Google Analytics. We use these to monitor visitor behaviour, so we can analyse website activities and improve your user experience. This data is collected anonymously however your IP address will be included in the data Google collect. We do not use this information.

We do not use Cookies for marketing purposes.

## **9. Complaints**

If you have any complaints about how we handle your personal data, please contact us, using the contact details contained on Page 2 of this Policy, so that we can endeavour to resolve the issue.

A copy of our Complaints and Concerns Policy is available on the Capella website ([www.capellaassociates.com](http://www.capellaassociates.com)) for your reference.

If you have any concerns regarding how the DfE/ESFA handle your personal data, please see the DfE's Privacy Notice for KS5 and Adult Education, which includes details regarding how to complain to the DfE.

[Privacy notice for Key Stage 5 and adult education - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

You also have the right to lodge a complaint about any use of your information with the Information Commissioners Office (ICO), the UK data protection regulator. You can contact them on 0303 123 1113. For further information please see the ICO's website: <https://ico.org.uk/concerns/>

Capella Associates Ltd is registered with the Information Commissioner's Office (ICO) (Reference Number: ZA183114)

## **10. How we keep your information secure**

We take such measures as are appropriate to ensure the confidentiality, integrity and availability of systems.

## **11. Changes to the Privacy Policy**

We may update this policy to reflect changes in how we use your information. Where this policy is updated, the updated version will be available on our website.

This policy will be reviewed annually.