

## 1.0 Purpose

AdSkills Certification Ltd is an UKAS accredited certification body that develops a range of courses and qualifications which are delivered by approved training centres in the UK. We take the privacy and security of your personal data very seriously.

Successful candidates will receive either a certificate of attendance or competence as appropriate. For some qualifications, your details and results will be shared with the Government approved competent person scheme e.g. Gas Safe or HEATAS.

In this privacy notice, we will set out how we collect and use your personal data before, during and after your relationship with us, in accordance with the General Data Protection Regulation (GDPR).

It applies to all applicants, candidates and certificate holders

We may update this notice at any time, and we may provide you with additional privacy notices from time to time.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

Further information for applicants and candidates can be found in WI-03-01 ACS Certification process work checklist

## 2.0 Data protection principles

We will comply with data protection law including the 6 principles of GDPR which are:

1. To process your personal data lawfully, fairly and in a transparent way.
2. To collect your personal data only for valid purposes that we have advised you about and to not use your personal data in any way that is incompatible with those purposes (unless we have notified you and explained the lawful ground that allows us to do so).
3. To only process your personal data to the extent necessary for the purposes we have advised you about.
4. To keep your personal data accurate and kept up to date.
5. To keep your personal data only as long as necessary for the purposes we have told you about.
6. To keep your personal data secure.

## 3.0 Personal data we process

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

There are “special categories” of more sensitive personal data which require a higher level of protection such as your ethnicity and whether you are a member of a trade union.

We will collect, store, and use the following categories of personal data about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.
- National Insurance number.
- Photograph/digital image of yourself.
- Details from documents such as your driving licence or passport to prove your ID.
- Evidence of training, experience and qualifications.
- Details of assessment undertaken, start and completion date
- Details of your existing and previous salary.
- Performance information.
- CCTV footage and other information obtained through electronic means such as swipe card records, car/van tracking

#### **4.0 Special data we may collect**

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Trade union membership.
- Information about your health, including any medical condition, health and sickness records.
- Genetic information and biometric data.
- Information about criminal convictions and offenses.

#### **5.0 How we will be collecting your data**

We collect personal data about you through the application process, either directly from you or sometimes from a third party, for example the Gas Safe Register or another Certification Body who awarded you certificates.

We may collect further personal data about you in the course of training course and the certification process.

#### **6.0 How we will use this data**

We will only process your personal data if we have a lawful ground for processing such data. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the employment contract between us or any other contract between us.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal data in the following situations, but these are not likely:

1. Where we need to protect your interests (or someone else’s interests).
2. Where it is needed in the public interest or for official purposes.

## 7.0 Why we will process your personal data

The data we hold on you may be processed for the following reasons....

- To allow us to make decisions relating to certification.
- The administration of qualifications, training courses, assessment and certification activities.
- Checking you are entitled to participate in our training course and assessments
- Complying with legal, regulatory and contractual obligations.
- Providing the of certain benefits to you.
- Collecting fees.
- Administering the contract, we have entered into with you.
- Business management and planning, including accounting and auditing.
- Developing new products and services
- Undertake statistical analysis.
- Contact you for surveys and feedback on the services and products provided.
- Gathering evidence for possible complaints and appeals hearings.
- Sending reminders for qualifications coming up to their expiry date.
- Marketing or promotional opportunities.
- Contacting you with regards to the awarding, withdrawal and suspension of certificates.
- Dealing with legal disputes involving you, or other employees, workers, and contractors, including accidents at work.
- Complying with health and safety obligations.
- To prevent fraud.
- Equal opportunities monitoring.

If you decide not to provide us with certain personal data that we have requested, we may not be able to perform contracts between us, or we may be prevented from complying with our legal obligations.

We may from time to time use your personal data without your knowledge or consent where this is required or permitted by law.

## 8.0 How we may use your sensitive data

“Special categories” of sensitive personal data require higher levels of protection than non-sensitive data. In order to process such sensitive data, we need to have further justification. We may process special categories of personal data in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations or exercise rights in connection with employment.
3. Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme.

Occasionally, we may process sensitive personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

### **9.0 We will use your sensitive personal data in the following ways:**

- Where it is critical to achieving a qualification e.g., electricians cannot be colour blind.
- In relation to your physical or mental health or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits.

If you object to the use of this information, then we may be unable to offer you that qualification.

### **10.0 Criminal convictions**

We may only process data 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.

Rarely, we may use your personal data relating to criminal convictions where necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

### **11.0 Automated decision making**

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

1. Where we have notified you of the decision and given you 21 days to request a reconsideration.
2. Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
3. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making unless we have a lawful basis for doing so and we have notified you.

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.

### **12.0 Transfer to third parties**

We may have to share your personal data with third parties, including third-party service providers for example because it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

Third party providers may carry out the following services: training, assessments, IT services

We may also transfer your personal data to other entities in our group of companies as part of our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data.

We may share your personal information with other third parties, for example competent persons schemes and registration schemes, for example Gas Safe Register and HEATAS

We may also need to share your personal information with a regulator or to otherwise comply with the law.

We require third parties to respect the security of your data and to treat it in accordance with the law. They must act only in accordance with our instructions and they agree to keep your personal data confidential and secure.

### **13.0 Transfer of your data outside of the UK**

We may transfer your personal information outside the UK. If we do, you can expect a similar degree of protection in respect of your personal information.

Where we transfer your personal data to countries where there is no adequacy decision by the UK Government in respect of that country, we will put in place certain measures to ensure that your personal data does receive an adequate level of protection, this will mean having an International Data Transfer Agreement in place

### **14.0 Data security**

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

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.

### **15.0 Data retention**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

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 you are no longer an employee, worker or contractor of the company we will retain and securely destroy your personal information in accordance with applicable laws and regulations.

## **16.0 Your rights to access**

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

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 the 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. You also have the right to object where we are processing your personal information for direct marketing purposes.

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

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact Insert name of data protection person in writing.

You will not have to pay a fee to access your personal data or to exercise any of the other rights under data protection laws.

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.

### 17.0 Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing, and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time.

To withdraw your consent, please contact **certification officer or scheme manager**. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Further details of your rights can be obtained by visiting the ICO website at <https://ico.org.uk>.

### 18.0 How to contact us

If you want any further information our contact details are:

Address: Unit 15 Heston Industrial Mall, Church road, Hounslow, TW5 0LD

Tel: 020 8569 5060

Email: [info@adskills.org.uk](mailto:info@adskills.org.uk)