

DATA PROTECTION AND PRIVACY POLICY

Pier Training is committed to a policy of protecting the rights and privacy of individuals (including employees, apprentices, customers and others) in accordance with the Data Protection Act and the new GDPR requirements (May 2018). Pier Training is registered with the Information Commissioner's Office (ICO) - Registration reference: ZA352862. The company needs to process certain information about its employees, apprentices, customers and other individuals it has dealings with for administrative purposes (e.g., to recruit and pay staff, to administer programmes, to record progress, to agree awards, to collect fees, and to comply with legal obligations to funding bodies and government). In order to comply with the updated legislation, Pier Training ensures that information held, either computerised or non-computerised data, is collected and used fairly, stored safely and securely and not disclosed to any third party unlawfully.

Pier Technology Limited trading as Pier Training is a private limited company with Company Registration No. 07859314.

Pier Training collects your **personal data** i.e., any information that identifies you or any information that can be used indirectly to identify you.

Why do we collect your personal information?

- To deliver our apprenticeship training to you according to the Department for Education (DfE) standards.
- To ensure we are delivering quality training to meet the requirements of standards and Ofsted (regulatory body).
- To collect and return the data to the Education and Skills Funding Agency (ESFA) each year under contract with them to ensure we receive funding from ESFA for our training provision. More details on how personal information is held by the ESFA and DfE can be found in the ESFA ILR Privacy Notice at <https://guidance.submit-learner-data.service.gov.uk/23-24/ilr/ilrprivacynotice>.
- To undertake an eligibility check which may include accessing the Individual Learner Record (ILR) via the Learning Records Service (LRS) to verify learners' qualifications and grades and provide evidence of eligibility for a training programme. For more information about how your information is processed by ESFA and DfE, and to access your Personal Learning Record, please refer to the LRS privacy notice which can be found in the DfE personal information charter in the above link.
- To facilitate the recruitment and assessment process for our 'Recruit an apprentice' service.
- To provide information about our apprenticeship and training opportunities to you when you fill out the contact form on our website which includes your name and contact details.
- To access the OneFile e-portfolio system.

What information do we collect?

- When you sign the Apprenticeship Application Form and Apprenticeship Agreement and Training Plan, we collect your:

- Personal Data: Name, Date of Birth, Address, Email Address, Telephone/Mobile Number, Gender, Education and Training/Qualifications, National Insurance Number, Residential Status, Employment Status, Evidence of the right to work in the UK etc.
- Sensitive Personal Data: Race, Ethnic Origin, Sexual Orientation, Health or Biometrics, Criminal Convictions, Additional Learning Needs, Bank/Payment Details etc.
- During the course of the training programme with us we collect information such as:
 - Progress Report
 - Off-the-job Record
 - Recordings of workshop sessions
 - Recordings of evidence of learning required for the End-Point Assessment such as professional discussions
 - Qualification and Achievements
 - Attendance, including any sickness absence
 - Survey Report
 - Cause of Concern Record
 - Accident Report etc.
- When you visit our website, we collect Information on how you use our website using cookies.

What do we use the information for?

- We use the information to:
 - complete the enrolment process
 - complete the apprenticeship programme
 - secure funding for the programme
- We contact learners or employers requesting their feedback on the training via the SurveyMonkey Platform throughout the course of the programme.
- We contact learners for up to 12 months via the SurveyMonkey Platform following the completion of the programme to record any positive progression as a result of the accomplishment of the apprenticeship training programme.
- We will use the information for the safety, health and welfare.
- We will use the information to maintain our bookkeeping records.
- We will use the information to track and analyse activities on our website.

Are our data collection and processing activities legally compliant?

To ensure our data collection and processing activities are legally compliant we follow the six lawful grounds for processing personal data, which include:

- 1. Consent:** the individual has given clear consent for us to process their personal data for a specific purpose.
- 2. Contract:** the processing is necessary for a contract we have with the individual, or because they have asked us to take specific steps before entering into a contract.

3. **Legal obligation:** the processing is necessary for us to comply with the law (not including contractual obligations).
4. **Vital interests:** the processing is necessary to protect someone's life.
5. **Public task:** the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.
6. **Legitimate interests:** the processing is necessary for our legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This cannot apply if we are a public authority processing data to perform our official tasks.)

Third parties: data is not processed to any 3rd parties and is shared only with the Education and Skills Funding Agency (ESFA) as part of the contractual requirements and at Ofsted inspections.

When processing data about any of our employees, apprentices, customers and stakeholders we will, in accordance with Information Commissioner's Office (ICO), ensure that information is:

- a) processed lawfully, fairly and in a transparent manner in relation to individuals
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
- d) accurate and, where necessary, kept up to date; every reasonable step will be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay
- e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to the implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

How do we protect your data?

All employees including field delivery staff, office staff, marketing and management fully understand how to process data and how to keep data safe and secure. Training is provided at induction and through regular supervision meetings.

It is an ESFA requirement that robust controls for data security are in place. To meet this requirement Pier Training has completed the Cyber Essentials self-assessment. This is important as certification demonstrates our commitment to online safety and security. The Pier Training **ICT Use Protection**

Policy and Procedures describes in detail the guidelines and parameters for business and personal Information and Communications Technology (ICT) use. Refer to the policy for further details.

We ensure the personal data we collect is kept secure by:

- Installing security software, such as firewalls and antivirus software
- Ensuring computer software is up to date
- Enforcing security policies and procedures
- Educating staff on the dangers to look out for and how to keep information secure
- Ensuring that personal information is only seen by those who need to process it
- Having robust systems and expectations about acceptable use of IT
- Having expectations about the security of hardware, such as keeping laptops secure and ensuring appropriate password security on all devices

Who do we share your information with?

The information we share may include your contact details, progress report, attendance, achievements etc. We share your information regularly with the following people and organisations.

- Ofsted
- Education and Skills Funding Agency (ESFA)
- Department for Education (DfE)
- Tutors
- Current Employers
- Potential Employers
- End-Point Assessment Organisation
- Awarding bodies
- Pier Training staff such as Administrator, Compliance Manager etc.
- Statutory agencies such as the Police, Local Authorities, Courts or HMRC (where applicable)
- Skills Forward
- OneFile
- SurveyMonkey
- Microsoft

Data storage and retention

We do not keep your personal data longer than is necessary. We keep learners' data for 5 years as it can be requested for audit by the ESFA.

Data collected using Google Analytics 4 will be stored for no longer than 14 months.

Cookies

We use cookies on our website to improve user experience. Please refer to our [Cookie Policy](#) for more details.

Google

We use Google Analytics 4 to measure website traffic. We do not allow Google to use or share our analytics data.

To opt out of being tracked by Google Analytics across all websites, visit <http://tools.google.com/dlpage/gaoptout>.

Data Subject Rights

Data subject rights under the data protection law are:

- Right to be informed about how your data is being used
- Right to access personal data
- Right to have incorrect data updated (also known as right to rectification)
- Right to have personal information deleted or removed (also known as right to be forgotten)
- Right to stop or restrict the processing of your data
- Right to data portability (allowing you to get and reuse your data for different services)
- Right to object to how your data is processed in certain circumstances

Note: There are some exceptions to the rights above. For example, we cannot delete all of your information because we are required by our funders to keep some of your information for audit purposes. The ESFA auditors can request information on a particular year's data to ensure the provider meets all funding and apprenticeship rules.

Subject Access Request

Employees, apprentices, customers and others have a right of access to all data held and processed about themselves in accordance with the Data Protection Act – this information will be provided within a month of the initial request. Requests should be put in writing and made to the company Director/Data Protection Officer (DPO). No payment is required for a copy of your personal information. You will need to provide your full name, date of birth, current address and a copy of identification, e.g., a driving licence or passport or Birth Certificate.

Data Controller: Pier Technology Limited trading as Pier Training
Information Commissioner Office Registration Reference: ZA352862

Data Protection Officer: Mohammed Syed
Email Address: mohammed.syed@piertraining.co.uk

Data Controller Representative: Marie Woodward
Email Address: marie.woodward@piertraining.co.uk

List of approved applications:

All employees of Pier Training are restricted to installing approved and authorised applications as directed by the company. We maintain a list of these applications. These are as follows:

- OneFile learner portal
- Microsoft Teams
- Microsoft OneDrive
- Microsoft SharePoint
- Microsoft Outlook

- Microsoft Word, Delve, PowerPoint, Excel
- Business WhatsApp
- Google search, Google Chrome, Drive
- YouTube
- Google Maps
- Facebook, LinkedIn, Instagram (company use)
- Indeed job portal
- Skype for business

If there is a business need for you to install any additional software or an application in addition to those listed above, then discuss with your line manager.

All staff have the responsibility of maintaining data securely and accurately to limit the disclosure to the right people and to keep the data subject informed. Staff will be informed of the policy and procedures to be implemented as part of their induction to the company and this will be regularly visited throughout the term of Employment at training sessions, standardisation meetings and Team Meetings. Any breach of the Data Protection Act 2018 or the company's Data Protection Policy is an offence, and, in that event, Pier Training disciplinary procedures may apply. All staff members have an obligation to report data protection breaches or contact the DPO if they have concerns of such a breach. This will allow the appropriate personnel to investigate further and take the appropriate steps to fix the issue in a timely manner.

As a matter of good practice, other agencies and individuals working with the company, and who have access to personal information will be expected to have read and comply with this policy.

Complaints and Queries

For any complaints or questions regarding your data protection or Subject Access Request (SAR), contact the Data Protection Officer using the contact details set above.

If you are not satisfied with our response, you can complain to the UK Information Commissioner's Office by visiting <https://ico.org.uk/>.

POLICY REVIEW

How will this policy be reviewed?

The Data Protection Officer (DPO) is responsible for the implementation and review of the Data Protection and Privacy Policy. A review of this policy is completed annually or when considered necessary to remain effective and legally compliant. The date of review is recorded within the footer of the document and includes the date of the next required review. This enables the DPO to easily track when the last review was completed ensuring the policy is relevant and up to date.

Following the annual review, the senior management team (SMT) read the policy, make any suggestions for amendments and then it is finally approved by the Managing Director.

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Signed by Managing Director:	<i>Mohammed Syed</i>
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