



# LEARNER DATA PROTECTION AND PRIVACY POLICY

AUGUST 2020 | VERSION 1.0

PROJECT FIVE ACADEMY IS A TRADING STYLE OF PROJECT FIVE CONSULTING LTD | REGISTERED IN ENGLAND 08857424

## 1.0 Introduction

Project Five Academy understands that your privacy is important to you and that you care about how your personal data is used. We respect and value the privacy of everyone who accesses and uses our Academy services. We will only collect and use personal data in ways that are described in this policy, and in a way that is consistent with our obligations and your rights under the law.

Project Five Academy review all our policies annually or in response to regulatory changes to ensure that they remain fit for purpose.

Please read this Learner Data Protection and Privacy Policy carefully and ensure that you understand it.

## 2.0 Scope of policy

This policy is aimed at all Project Five Academy learners, awarding bodies, and other parties involved in any aspect of Project Five Academy qualification and endorsed learning provision.

This policy explains who we are, what, when and why we collect personal information, how we use it, the conditions under which we may disclose it to others and how we keep it secure. It also includes details on your rights in relation to your personal data, how to contact us, 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.

This Privacy Policy applies to your use of our Project Five Academy services. There is a separate policy for the use of our Project Five Academy website available at: [www.projectfive.academy/privacy-policy/](http://www.projectfive.academy/privacy-policy/).

## 3.0 Information about us

Project Five Academy is a trading style of Project Five Consulting Ltd. Registered in England under company number 08857424.

Registered address: Barnston House, Beacon Lane, Heswall, Wirral, CH60 0EE, United Kingdom.

VAT number: GB 180625610.

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 send an email to [myprivacy@projectfiveconsulting.co.uk](mailto:myprivacy@projectfiveconsulting.co.uk).

## 4.0 What is personal data?

Personal data is defined by the General Data Protection Regulation (EU Regulation 2016/679) (the “GDPR”) as ‘any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier’.

Personal data is, in simpler terms, any information about you that enables you to be identified. Personal data covers obvious information such as your name and contact details, but it also covers less obvious information such as identification numbers, electronic location data, and other online identifiers.

## 5.0 What personal data do we collect?

We collect your name, address, date of birth, gender, email address, business name, job title, payment information and any other personal data which is necessary in relation to a specific qualification, programme or registration with an Awarding body. We may also collect personal data if required to administer our quality assurance processes, investigations, complaints or appeals.

When you enrol as a learner, we'll ask if you have any special educational requirements that might require us to make adjustments to the course or assessments. We ask this so that we can take reasonable steps to accommodate your needs and give you the best learner experience possible. Any such health information is known as special category personal data under data protection laws. We may share this with our Awarding body so that they can take your requirements into consideration when setting assignments. We will only use this information to help you.

## 6.0 How do we process and use your personal data?

We will only use your personal information if we have a reason for doing so, where it is necessary to pursue our legitimate interests as a provider of learning, training and assessment or where you have given consent.

This includes:

- To provide you with the Academy product or service for which you have registered, or have been registered for
- To provide you with access to your online learning platform (OneFile)
- To undertake administration in relation to the Academy product or service for which you have registered, or have been registered for
- To administer our quality assurance processes, investigations, complaints or appeals
- To facilitate, assess and provide reasonable adjustments in relation to your learning or assessment (where requested)
- To provide you with a certificate, credential or other record of learning
- For legal and regulatory purposes

We may also process your personal data in pursuit of our legitimate interests to contact you directly in relation to new and existing products, services, news and events. If you do receive marketing communications from us, you will always have the opportunity to opt-out.

## 7.0 Who do we share your personal data with?

Where necessary, we may share your personal data with relevant third parties in relation to your learning, assessment, certification or verification of your learning, assessment or certification. This includes Awarding bodies such as ILM, regulatory authorities and service providers contracted in connection with the provision of learning and assessment including OneFile, ILM assessors, markers and quality assurers.

In some limited circumstances, we may be legally required to share certain personal data, which might include yours, if we are involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.

ILM and its agents may use your personal data to ensure it can fulfil its contractual obligations to you and to inform you about membership of The Institute of Leadership and Management. In addition, it may also share personal data with regulatory and industry bodies where there is a contractual or

legal requirement to do so. To learn about how ILM process your personal data visit: [www.i-l-m.com/privacy/learnerpersonaldata](http://www.i-l-m.com/privacy/learnerpersonaldata).

To view the OneFile privacy policy visit: [www.onefile.co.uk/privacy-notice/](http://www.onefile.co.uk/privacy-notice/).

## 8.0 How long do we keep your personal data?

We will keep your personal data for a period of 5 years after certification. This is in order to:

- provide information about your learning, training, assessment and/or certification
- respond to any questions, complaints or claims made by you, on your behalf or about you
- comply with any relevant Awarding body record retention process
- comply with any contractual, legal, audit, and other regulatory requirements

## 9.0 How do we protect your personal data?

We take your privacy very seriously and we take all reasonable steps to ensure that we protect your personal data. This includes ensuring that our staff are aware of their information security obligations and we limit access to your personal data to staff who have a genuine business need to know. We take a number of important measures to protect your data and safeguard it from loss or destruction.

## 10.0 Your rights

Under the GDPR laws you have the various rights relating to your personal data which we will always work to uphold, these rights include:

### Right to be informed

The right to be informed about our collection and use of your personal data. This Privacy Policy should tell you everything you need to know, but you can always contact us to find out more or to ask any questions using the details in section 13.0.

### Right to access

The right to access the personal data we hold about you. If you want to know what personal data we have about you, you can ask us for details of that personal data and for a copy of it (where any such personal data is held). This is known as a “subject access request”.

All subject access requests should be made in writing and sent to the email addresses shown in section 13.0.

There is not normally any charge for a subject access request. If your request is ‘manifestly unfounded or excessive’ (for example, if you make repetitive requests) a fee may be charged to cover our administrative costs in responding.

We will respond to your subject access request within 14 days and, in any case, not more than one month of receiving it. Normally, we aim to provide a complete response, including a copy of your personal data within that time. In some cases, however, particularly if your request is more complex, more time may be required up to a maximum of three months from the date we receive your request. You will be kept fully informed of our progress.

There are exceptions to this right and we may be unable to make all data available to you. This includes instances where making the data available would reveal personal data about another person or if we are legally prevented from disclosing such data.

#### Right to rectification

The right to have your personal data rectified if any of your personal data held by us is inaccurate or incomplete. We will always endeavour to keep your data up-to-date but please contact us using the details in section 13.0 to let us know if any data is inaccurate.

#### Right to be forgotten

The right to be forgotten and the right to ask us to delete or otherwise dispose of any of your personal data that we have. This includes where, for example, the personal data is no longer necessary for the purposes for which it was 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. Please contact us using the details in section 13.0 if you would like to request your data be deleted.

#### Right to restrict

The right to restrict (i.e. prevent) the processing of your personal data. If you would like to make such request, please contact us using the contact details provided in section 13.0.

#### Right to object

The right to object to us using your personal data for a particular purpose or purposes. If you would like to object to the processing of your personal data, please contact us using the contact details provided in section 13.0.

#### Right to data portability

The right to data portability. This means that, if you have provided personal data to us directly, we use it with your consent or for the performance of a contract, and that data is processed using automated means, you can ask us for a copy of that personal data to re-use with another service or business in many cases.

#### Right related to automated decision-making

Rights relating to automated decision-making and profiling. We do not use your personal data in this way.

Please note that the GDPR sets out exceptions to these rights. If we are unable to comply with your request due to an exception we will explain this to you in our response.

For more information about our use of your personal data or exercising your rights as outlined above, please contact us using the details provided in section 13.0

## 11.0 How to complain

Further information about your rights can also be obtained from the Information Commissioner's Office or your local Citizens Advice Bureau.

If you believe that your data protection rights may have been breached, and we have been unable to resolve your issue, you have the right to lodge a complaint with the Information Commissioner's Office. For more details, visit: [www.ico.org.uk/make-a-complaint](http://www.ico.org.uk/make-a-complaint).

## 12.0 Policy review date

August 2021.

## 13.0 Useful contacts

If you have any queries about this Policy, the way in which we processes personal data, or about exercising any of your rights, you can send an email to: [myprivacy@projectfiveconsulting.co.uk](mailto:myprivacy@projectfiveconsulting.co.uk).