Cotswold Assessments Learner Privacy Policy

Introduction

The Cotswold Assessments is committed to data security and the fair and transparent processing of personal data. This privacy policy (**Policy**) sets out how Cotswold Assessments treats learner personal data.

If you are a learner registered with Cotswold Assessments to undertake assessment, please read this Policy carefully as it contains important information on who we are, how and why we collect, store, use and share your personal data (**process**), 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.

Who are we?

For the purposes of the General Data Protection Regulation (Regulation (EU) 2016/679) (**GDPR**) and the UK Data Protection Act 2018 (**DPA**), Cotswold Assessments is the 'controller' of learner personal data.

Cotswold Assessments is a UK Assessment Body. Our registered address is Nelson House, 2 Hamilton Terrace, Leamington Spa, Warwickshire, CV32 4LY, United Kingdom.

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 write to Cotswold Assessments at admin@cotswoldassessments.com .

What personal data do we collect?

We collect your name, gender, and date of birth, and any other personal data which is necessary in relation to a specific qualification or programme, or assessment. We may also collect personal data if required to administer our quality assurance processes, investigations, complaints and appeals. This personal data is provided to us by learners, customers, employers, training providers, or other industry bodies you have registered and/or contracted with to receive learning, training, and/or assessment, certification and/or services provided by us.

In exceptional circumstances, we may also collect and/or be provided with special category data, such as data about your physical or mental health or condition, to enable us to administer requests for reasonable adjustments, or in relation to an investigation, complaint, or appeal. Such data should only be collected and/or provided to us if you have provided your explicit consent or if we are otherwise permitted to receive and process it under the GDPR and/or DPA (including as set out below).

How do we process your personal data?

We may process your personal data where this is necessary to pursue our legitimate interests as a provider of learning, training, assessment, and/or certification products and/or services, including to:

- provide you with products and/or services for which you have enrolled or registered, or have been enrolled or registered;

- undertake administration in relation to products and/or services for which you are enrolled or registered;
- provide you with a certificate, ID card, or other record of learning;
- contact you directly in relation to our quality assurance processes, investigations, complaints, and appeals;
- assess and provide reasonable adjustments in relation to your learning or assessment where requested; and
- prevent and detect crime and/or assist with the apprehension or prosecution of offenders.

We may also process your personal data in pursuance of our legitimate interests to contact you directly in relation to new and existing products, services, news, awards and events offered by Cotswold Assessments. Where you do receive such marketing communications from us, you may unsubscribe from marketing communications at any time.

We may also process your personal data if required by law.

With respect to special category data, we may process such data when we have obtained your explicit consent to do so. We may also process such data if necessary for reasons of substantial public interest, including for the prevention or detection of unlawful acts or in compliance with, or to assist third parties to comply with, any regulatory requirements relating to the investigation of unlawful acts, dishonesty or malpractice.

Who do we share your personal data with?

We may share your personal data with relevant third parties, where necessary, in relation to your learning, assessment, certification, or the verification of your learning, assessment or certification, including:

- regulatory authorities, professional bodies and similar industry bodies;
- skills certification schemes and bodies;
- consortiums, authorised representatives, and partners; and
- customers, employers, training providers, awarding bodies and similar third parties.

We may also share your personal data with trusted third party service providers, including:

- legal and other professional advisers, consultants, and professional experts;
- service providers contracted to us in connection with provision of learning, assessment, and training products and/or services such as markers, moderators, assessors, certification or ID card providers, IT services and customer relationship management services; and
- analytics and search engine providers that assist us in the improvement and optimisation of our website.

We will ensure that there is a contract in place with such third party service providers, which includes obligations in relation to the confidentiality, security, and lawful processing of any personal data shared with them, and which upholds your rights and freedoms with respect to personal data.

Where a third party recipient is located outside the European Economic Area, we will ensure that the transfer of personal data is protected by appropriate safeguards, including by the use of standard data protection clauses adopted or approved by the European Commission where the Commission does not believe that the country has adequate data protection laws.

We may also share personal data (including any special category data) with law enforcement or other authorities or agencies if required by law or where we otherwise deem it necessary in pursuance of our legitimate interests. This may include, without being limited to, responding to requests for information from such authorities or agencies, or sharing information with them in connection with our quality assurance processes, investigations, complaints, or appeals.

You should be aware that, where personal data is shared with a public authority, it will become subject to the Freedom of Information Act 2000 (**FOIA**) and may potentially fall within the scope of any future FOIA request made to such public authority.

How long will we keep your personal data?

We will keep personal data relating to your learning, training, assessment, and/or certification in order to:

- provide information about your learning, training, assessment and/or certification;
- provide replacement certification;
- respond to any questions, complaints or claims made by you, on your behalf or about you;
- comply with any relevant third party record retention requirements (e.g. those of a regulator); and
- comply with any contractual, legal, audit, and other regulatory requirements, or any orders from competent courts or authorities.

We will also keep personal data relating to our quality assurance processes, investigations, appeals and complaints, in order to comply with applicable contractual, legal, audit and other regulatory requirements, or any orders from competent courts or authorities.

Cotswold Assessments keeps personal data for no longer than as is necessary for the above purposes.

How do we protect your personal data?

We take all reasonable steps to ensure that both we and our third party service providers protect your personal data. This includes ensuring that our staff are aware of their information security obligations, providing training, and limiting access to your personal data to staff who have a genuine business need to know.

We also take reasonable steps to protect your personal data from loss or destruction and have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

Furthermore, our project management and change control process includes structured assessment of information security and data privacy risks. This process aims to ensure that all proposed system changes of Cotswold Assessments from time to time fully align with the GDPR and good practice to uphold data subjects' rights and freedoms with respect to personal data.

Your rights

Under the GDPR, you have various rights with respect to our processing of your personal data:

Right to Access

You have the right to request a copy of the personal data that we hold about you by contacting us at the email or postal address given below. Please include with your request information that will enable us to verify your identity. We will respond within 1 month of request. Please note that there are exceptions to this right. We may be unable to make all data available to you if, for example, making the data available to you would reveal personal data about another person, if we are legally prevented from disclosing such data, if there is no basis for your request, or if your request is excessive.

Right to rectification

We aim to keep your personal data accurate, current and complete. We encourage you to contact us using the contact details provided below to let us know if any of your personal data is not accurate or changes, so that we can keep your personal data up-to-date.

Right to erasure

You have the right to request the deletion of your personal data 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. If you would like to request that your personal data be erased, please contact us using the contact details provided below.

Right to object

In certain circumstances, you have the right to object to the processing of your personal data where, for example, your personal data is being processed on the basis of legitimate interests and there is no overriding legitimate interest for us to continue to process your personal data, or if your data is being processed for direct marketing purposes. If you would like to object to the processing of your personal data, please contact us using the contact details provided below.

Right to restrict processing

In certain circumstances, you have the right to request that we restrict the further processing of your personal data. This right arises where, for example, you have queried the accuracy of the personal data we hold about you and we are verifying the personal data, you have objected to processing based on legitimate interests and we are considering whether there are any overriding legitimate interests, or the processing is unlawful and you elect that processing is restricted rather than deleted. If you would like to make such request, please contact us using the contact details provided below.

Right to data portability

In certain circumstances, you have the right to request that some of your personal data is provided to you, or to another 'controller', in a commonly used, machine-readable format. This right arises where you have provided your personal data to us, the processing is based on consent or the performance of a contract, and processing is carried out by automated means. If you would like to make such request, please contact us using the contact details provided below.

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.

Contact

If you have any queries about this Policy, the way in which Cotswold Assessments processes personal data, or about exercising any of your rights, you can write to Cotswold Assessments at admin@cotswoldassessments.com.

Changes to our Policy

Any changes we may make to our Policy in the future will be posted on this page.

- Learner Privacy Policy Version 1.0, 20 March 2020