

TQUK Privacy Policy

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| TQUK Privacy Policy | |
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| Should be read in conjunction with | TQUK Data Protection Policy |

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Introduction

This document outlines Training Qualifications UK's (TQUK) commitment to conduct its business in an honest and ethical manner and act with fairness and integrity in all its practices. In accordance with the guidance accompanying the UK GDPR, TQUK has published this policy with the intention of informing all TQUK staff, partners and third parties of TQUK's commitment to upholding these principles and what standards it expects of those acting on its behalf.

TQUK Internal Responsibility

The Business Improvement Team are responsible for the maintenance and compliance of this policy. If the Finance Director is absent, the Responsible Officer will appoint another member of the Executive Team to ensure all of TQUK's actions and activities are in line with the content of this policy.

The Managing Director has overall responsibility for ensuring that this policy complies with our ethical and legal commitments and that all TQUK actions and activities are in line with the contents of this policy.

Review arrangements

We will review the policy as part of our annual self-evaluation process and revise it as and when necessary from the following sources; in response to feedback from Recognised Centres, Training Providers, Learners or Apprentices, changes in our practices, actions by regulatory authorities or external agencies, changes in legislation, or trends identified from previous data privacy matters.

In addition, this policy may be updated in light of operational feedback to ensure our arrangements for dealing with data privacy matters remain effective. The annual review of this policy will be undertaken by the Business Improvement Team approximately four weeks prior to the submission of TQUK's Statement of Compliance to regulators. Any amendments or updates to this policy will be approved by TQUK's Executive Team.

If you would like to raise any points or offer feedback regarding this policy, please contact us via the details provided at the start of this document.

Definition

For the purposes of this policy, TQUK have adopted the definition used by UK GDPR, defining data privacy as aiming to protect individuals' personal data by ensuring it is processed lawfully, fairly and securely, while also empowering individuals with rights to control and access their data.

TQUK Privacy Policy

This Privacy Policy describes how Training Qualifications UK LTD (TQUK, "we", "us") (registered company number [07827508]), collect and use personal information about you in accordance with the UK General Data Protection Regulation (UK GDPR).

It contains important information on how and why we collect, store, use and share personal information, your rights in relation to your personal information and on how to contact us and supervisory authorities in the event you have a complaint.

TQUK collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the UK GDPR and we are responsible as 'controller' of that personal information for the purposes of those laws.

- Section 1 - How We Collect Personal Information About You
- Section 2 - What Personal Information Do We Use?
- Section 3 - How and why will we use your personal information
- Section 4 - Lawful Bases
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Section 1 - How We Collect Personal Information About You

We collect personal information about you:

a. When you give it to us directly

For example, personal information that you give to us when you communicate with us by email, phone or letter.

b. When we obtain it indirectly

For example, your personal information will be shared with us by training/learning providers after you enrol for a course in relation to which we provide the relevant qualification.

c. When it is available publicly

Your personal information may be available to us from external publicly available sources. For example, depending on your privacy settings for social media services, we may access information from those accounts or services.

d. *When you visit our website*

When you visit our website, we automatically collect the following types of personal information:

(a) Technical information, including the internet protocol (IP) address used to connect your device to the internet, browser type and version, time zone setting, browser plug-in types and versions and operating systems and platforms.

(b) Information about your visit to the websites, including the uniform resource locator (URL) clickstream to, through and from the website (including date and time), services you viewed or searched for, page response times, download errors, length of visits to certain pages, referral sources, page interaction information (such as scrolling and clicks) and methods used to browse away from the page.

We also collect cookies on our site for performance related tasks. You can read about the cookies we collect here: <https://www.tquk.org/cookie-policy>

We collect information to analyse the performance of our websites and how different parts of our website are used. We use Google Analytics to do this.

Google Analytics stores information about how users get to our sites and from which device types, how content is being used whilst on the site and how long users spend on our site.

Google Analytics also provides information on interests and demographics of our visitors.

The information is collected using a tag placed on our websites and does not relate to any personally identifiable information being collected.

You can read [**Googles Data Processing Amendment online here**](#).

You can read [**Googles Data retention policy here**](#)

TQUK has set our analytics not to expire i.e., the information will be retained in order to allow us to analyse trends in our website usage over time.

How Can I Opt-Out of This Data Collection?

If you want to [**opt out of Google Analytics collection**](#) you can install a browser add on.

If you wish to [**opt out of data collection for demographic and interest data**](#) you can do this using Google Ad Settings here.

Section 2 - What Personal Information Do We Use?

We may collect, store and otherwise process the following kinds of personal information:

- a. your name and contact details including postal address, telephone number, email address and emergency contact details and, where applicable
- b. your date of birth and gender
- c. your financial information, such as bank details and/ or credit/ debit card details
- d. information about your computer/ mobile device and your visits to and use of this website, including, for example, your IP address and geographical location
- e. unique candidate identifiers/unique learner numbers
- f. details of your qualifications/ experience; and/ or any other personal information which we obtain as per section 1

Do we process special categories of data?

The UK General Data Protection Regulation ("UK GDPR") recognises certain categories of personal information as sensitive and therefore requiring more protection, for example information about your health, ethnicity and religious beliefs.

In certain situations, TQUK may collect and/or use these special categories of data (for example, information on candidates' medical conditions so that we can make arrangements for reasonable adjustments and/or special considerations). We will only process these special categories of data if there is a valid reason for doing so and where the UK GDPR allows us to do so.

Section 3 - How and why will we use your personal information

Your personal information, however provided to us, will be used for the purposes specified in this Notice. In particular, we may use your personal information:

- a. to register you as a candidate and allow you to sit examinations
- b. for examination administration purposes
- c. to conduct examinations and assessments
- d. to issue examination results and certificates and maintain records of achievement
- e. to carry out any reviews or appeals
- f. to otherwise provide you with services, products or information you have requested
- g. to communicate as necessary with training/learning providers and employers
- h. to provide further information about our work, services or activities (where necessary, only where you have provided your consent to receive such information)
- i. to answer your questions/ requests and communicate with you in general
- j. to manage relationships with our partners and service providers
- k. to analyse and improve our work, services, activities, products or information (including our website), or for our internal records
- l. to keep our facilities safe and secure
- m. to run/administer the activities of , including our website, and ensure that content is presented in the most effective manner for you and for your device
- n. to audit and/or administer our accounts
- o. to satisfy legal obligations which are binding on us, for example in relation to regulatory, government and/or law enforcement bodies with whom we may work (for example requirements relating to the payment of tax or anti-money laundering)
- p. for the prevention of fraud or misuse of services
- q. for the establishment, defence and/ or enforcement of legal claims
- r. to comply with Ofqual's or any other regulatory body's General Conditions of Recognition or equivalent documentation
- s. to comply with the requirements of Equalities Law
- t. to support effective account management of our centres in relation to our commercial activities

Section 4 - Lawful Bases

The UK GDPR requires us to rely on one or more lawful bases to use your personal information. We consider the grounds listed below to be relevant:

- a. Where you have provided your consent for us to use your personal information in a certain way (for example, we may ask for your consent to collect special categories of your personal information so that you may sit an exam with reasonable adjustments and/or special considerations)

- b. Where necessary so that we can comply with a legal obligation to which we are subject (for example, where we are obliged to share your personal information with regulatory bodies which govern our work and services)
- c. Where necessary for the performance of a contract to which you are a party or to take steps at your request prior to entering a contract (for example, to provide you with a certified award after sitting an examination)
- d. Where there is a legitimate interest in us doing so.

The UK GDPR allows us to collect and process your personal information if it is reasonably necessary to achieve our or others' legitimate interests (as long as that processing is fair, balanced and does not unduly impact your rights as an individual).

In broad terms, our "legitimate interests" means the interests of running of TQUK as a commercial entity and ensuring that appropriate levels of certified awards are granted to candidates in line with our standards.

When we process your personal information to achieve such legitimate interests, we consider and balance any potential impact on you (both positive and negative), and on your rights under data protection laws. We will not use your personal information for activities where our interests are overridden by the impact on you, for example where use would be excessively intrusive (unless, for instance, we are otherwise required or permitted to by law).

Section 5 - Supporter Research

We may also analyse your personal information to create a record of your interests and preferences. This allows us to ensure communications are relevant and timely, to contact you in the most appropriate and relevant way and in general to provide you with an improved user experience. It also helps us to understand the background of our supporters so that we can make appropriate requests to those who may be willing and able to give more than they already do, enabling us to raise funds and help beneficiaries sooner and more cost-effectively.

If you would prefer us not to use your personal information for supporter research, please let us know by email at compliance@tquk.org.

Section 6 - Communications for marketing / promotional purposes

We may use your contact details to provide you with information about our work, events, services and/or activities which we consider may be of interest to you (for example, about other certified awards we offer or training/learning providers we work with).

Where we do this via email, SMS or telephone (where you are registered with the Telephone Preference Service), we will not do so without your prior consent (unless allowed to do so via applicable law).

Where you have provided us with your consent previously but do not wish to be contacted by us about our work, events, services and/or activities in the future, please let us know by email at compliance@tquk.org.

You can opt out of receiving emails from TQUK at any time by clicking the "unsubscribe" link at the bottom of our emails.

Section 7 - Donations / Payments

When you use our secure online donation/payment function you will be directed to a specialist payment services provider who will receive your financial information to process the transaction. We will provide your personal information to the payment services provider only to the extent necessary for the purpose of processing your donation/payment.

Section 8 – Children’s Personal Information

When we process children’s personal information, where required we will not do so without their consent or, where required, the consent of a parent/ guardian. We will always have in place appropriate safeguards to ensure that children’s personal information is handled with due care.

Section 9 - How long do we keep your personal information?

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

We will hold personal data for the period we are required to retain this information by applicable UK tax law (currently 6 years). 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.

However, if before that date (i) your personal information is no longer required in connection with such purpose(s), (ii) we are no longer lawfully entitled to process it or (iii) you validly exercise your right of erasure, we will remove it from our records at the relevant time.

If you request to receive no further contact from us, we may keep some basic information about you on our suppression list in order to comply with your request and avoid sending you unwanted materials in the future

TQUK has agreed to retain the information collected in Google Analytics indefinitely in order to allow us to analyse trends in our website usage over time. This is not personally identifiable information.

Section 10 - Will we share your personal information?

We do not share, sell or rent your personal information to third parties for marketing purposes. However, in general we may disclose your personal information to selected third parties in order to achieve the purposes set out in this Notice.

These parties may include (but are not limited to):

- a. training/learning providers
- b. individual examiners
- c. educational authorities such as Department for Education, Welsh Government, Department of Education Northern Ireland, HESA, UCAS, ESFA and the Learning Records Service
- d. local authorities and other public bodies responsible for education
- e. other educational establishments/prospective employers (for example if a reference is sought)

- f. suppliers and sub-contractors for the performance of any contract we enter into with them, for example IT service providers such as website hosts or cloud storage providers
- g. professional service providers such as accountants and lawyers
- h. parties assisting us with research to monitor the impact/effectiveness of our work, events, services and activities
- i. the police, for example in sharing data in relation to malpractice cases linked to fraud
- j. regulatory bodies who govern our work, such as Ofqual, CCEA Regulation, SQA or Ofsted; and/or
- k. individuals contracted by TQUK for the purposes of quality assurance and compliance.

In particular, we reserve the right to disclose your personal information to third parties:

- in the event that we sell or buy any business or assets, in which case we will disclose your personal information to the (prospective) seller or buyer of such business or assets
- if substantially all of our assets are acquired by a third party, personal information held by us may be one of the transferred assets
- if we are under any legal or regulatory duty to do so
- to protect the rights, property or safety of TQUK, its personnel, users, visitors or others.

Section 11 - Security storage of and access to your personal information

TQUK is committed to keeping your personal information safe and secure and we have appropriate and proportionate security policies and organisational and technical measures in place to help protect your information.

Your personal information is only accessible by appropriately trained staff, volunteers and contractors, and stored on secure servers which have features to prevent unauthorised access.

Section 12 - International Data Transfers

Given that we are a UK-based organisation we will normally only transfer your personal information within the European Economic Area ("EEA"), where all countries have the same level of data protection law as under the UK GDPR.

However, because we may sometimes use agencies and/or suppliers to process personal information on our behalf, it is possible that personal information we collect from you will be transferred to and stored in a location outside the EEA, for example the United States.

Please note that some countries outside of the EEA have a lower standard of protection for personal information, including lower security requirements and fewer rights for individuals. Where your personal information is transferred, stored and/or otherwise processed outside the EEA in a country that does not offer an equivalent standard of protection to the EEA, we will take all reasonable steps necessary to ensure that the recipient implements appropriate safeguards (such as by entering into standard contractual clauses which have been approved by the European Commission) designed to protect your personal information and to ensure that your personal information is treated securely and in accordance with this Notice. If you have any questions about the transfer of your personal information, please contact us using the details below.

TQUK has partnered with several entities worldwide, known as "Business Hubs". These independent entities have licence to use the TQUK brand for their commercial activities, for the purposes of recruiting centres and learners in overseas territories. Where TQUK has determined that a Business HUB is the most

appropriate entity to handle your enquiry TQUK will, with consent from you, transfer necessary personal data to assist in your enquiry.

Unfortunately, no transmission of your personal information over the internet can be guaranteed to be 100% secure – however, once we have received your personal information, we will use strict procedures and security features to try and prevent unauthorised access.

Section 13 - Exercising your rights

Where we rely on your consent to use your personal information, you have the right to withdraw that consent at any time. This includes the right to ask us to stop using your personal information for marketing or fundraising purposes or to unsubscribe from our email list at any time. You also have the following rights:

- a. Right of access – you can write to us to ask for confirmation of what personal information we hold on you and to request a copy of that personal information. Provided we are satisfied that you are entitled to see the personal information requested and we have successfully confirmed your identity, we will provide you with your personal information subject to any exemptions that apply.
- b. Right of erasure – at your request we will delete your personal information from our records as far as we are required to do so. In many cases we would propose to suppress further communications with you, rather than delete it.
- c. Right of rectification – if you believe our records of your personal information are inaccurate, you have the right to ask for those records to be updated. You can also ask us to check the personal information we hold about you if you are unsure whether it is accurate/up to date.
- d. Right to restrict processing – you have the right to ask for processing of your personal information to be restricted if there is disagreement about its accuracy or legitimate usage.
- e. Right to object – you have the right to object to processing where we are (i) processing your personal information on the basis of our legitimate interests (see section 4 above), (ii) using your personal information for direct marketing or (iii) using your information for statistical purposes.
- f. Right to data portability – to the extent required by the UK GDPR, where we are processing your personal information (that you have provided to us) either (i) by relying on your consent or (ii) because such processing is necessary for the performance of a contract to which you are party or to take steps at your request prior to entering into a contact, and in either case we are processing using automated means (i.e. with no human involvement), you may ask us to provide the personal information to you – or another service provider – in a machine-readable format.
- g. Rights related to automated decision-making – you have the right not to be subject to a decision based solely on automated processing of your personal information which produces legal or similarly significant effects on you, unless such a decision (i) is necessary to enter into/perform a contract between you and us/another organisation; (ii) is authorised by EU or Member State law to which TQUK is subject (as long as that law offers you sufficient protection); or (iii) is based on your explicit consent.
- h. Please note that some of these rights only apply in limited circumstances. For more information, we suggest that you contact us using the details below.

We encourage you to raise any concerns or complaints you have about the way we use your personal information by contacting us using the details provided in section 17 below. You are further entitled to

make a complaint to the Information Commissioner's Office – www.ico.org.uk. For further information on how to exercise this right, please contact us using the details below.

Section 14 - Job Applicant Privacy Notice

As part of any recruitment process, TQUK collects and processes personal data relating to job applicants. TQUK is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

This notice applies to any individual who makes an application for employment. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time and will provide you with a copy if you are part of an active recruitment process. If you receive an offer of employment, you will receive new privacy information about how we look after your personal data as an employee at this point.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during the application process, or in the 12 months following your application if you have consented to be informed of other vacancies.

Section 15 - Changes to this notice

We may revise this Privacy Policy through an updated posting. We will identify the effective date of the revision in the posting. Often, updates are made to provide greater clarity or to comply with changes in regulatory requirements. If the updates involve material changes to the collection, protection, use or disclosure of Personal Information, TQUK will provide notice of the change through a conspicuous notice on this site or other appropriate way. Continued use of the site after the effective date of a posted revision evidences acceptance. Please [contact us](#) if you have questions or concerns about the Privacy Policy or any objection to any revisions.

Last Update: June 2024

Section 16 - Data Manager

Our Data Manager can be contacted directly at Patrick.Giles@tquk.org (further details in the How to contact us section).

Section 17 - Links and Third Parties

TQUK conducts the majority of data processing activities required to provide you with the services. However, we do engage third-party service providers to assist with supporting our services, including (but not limited to):

- Credit card or payment services
- Cloud storage providers
- Customer support tools
- Product development tools
- IT and security service providers, and

- Marketing or analytics tools.

Our carefully selected partners and service providers may process personal information about you on our behalf as described below:

Digital Marketing Service Providers

We periodically appoint digital marketing agents to conduct marketing activity on our behalf, such activity may result in the compliant processing of personal information. Our appointed data processors include:

- (i) Prospect Global Ltd (trading as Sopro) Reg. UK Co. 09648733. You can contact Sopro and view their privacy policy here: <http://sopro.io>. Sopro are registered with the ICO Reg: ZA346877 their Data Protection Officer can be emailed at: dpo@sopro.io.

Each service provider is vetted and bound by contractual obligations that are equivalent to the provision of this Policy or more stringent.

This Notice does not cover external websites and we are not responsible for the privacy practices or content of those sites. We encourage you to read the privacy policies of any external websites you visit via links on our website.

[Section 18 - How to contact us](#)

Please let us know if you have any questions or concerns about this Notice or about the way in which TQUK processes your personal information by contacting us at the channels below. Please ask for / mark messages for the attention of Patrick Giles (Head of Regulatory Compliance)

Email: Patrick.Giles@tquk.org

Telephone: 03333 583 344

Post: FAO Patrick Giles

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Sale

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