



Skills and Training Services (STS)
Local Operating Procedure
 Data Protection Policy

Version Control Sheet

Document Title	Data Protection Policy
Author	Jo Wood
Owner	Jo Wood
Doc version/status	V1.0
Date issued	15/04/2024
Renewal Date	15/04/2025

Version History

Version	Date	Summary of changes
V0.1 Draft	03/04/2024	
V1.0	15/04/2024	Reviewed and finalised

Approval

Name	Job Role	Date	Signature
Jo Wood	Head of Funding, Registry & Governance	15/04/2024	<i>Jo Wood</i>

Change Control

Any requested changes to this document should be emailed to: joanne.wood@serco.com

Contents

Introduction 3

Our Policy is to 3

Personal data collected..... 3

How and why we use your personal data..... 4

Data Sharing..... 4

Data Security..... 5

Data Retention..... 5

Your legal rights 5

Policies to be read in conjunction with this Data Protection Policy 7

Introduction

The terms “learner,” and “customer” within this policy, are used to describe all customers, learners and apprentices involved with Skills and Training Services, this also includes those learners enrolled with subcontractors. Note that a learner is known as a customer until the point of enrolment on programme.

We collect, store and process large amounts of personal data. We accept our responsibility to ensure that such personal data is kept secure, handled with care and in compliance with applicable data protection and privacy laws. We understand the need to collect, store and process personal data, and we are committed to protecting the personal data of our customers, learners, suppliers and employees.

Our Policy is to

- implement processes and procedures which meet Data Protection requirements and are easily understood by customers, learners, staff and other data subjects
- collect personal data for specified, explicit and legitimate purposes, processing it fairly, lawfully and in a transparent manner which is relevant and limited for the purposes for which it is processed
- report, record and properly address breaches of applicable data privacy laws and regulations in a timely manner including notifying appropriate supervisory authorities within the required regulatory timescale.
- be responsible for, and demonstrate, compliance with this policy, Data Protection standards and operating procedures and applicable data privacy laws and regulations and deploy competent resources to advise and train staff.
- ensure that the principles of data protection by design and by default are taken into consideration when processing personal data.
- ensure that personal data is accurate and kept up to date and only retained for as long as is necessary to achieve its specified purpose(s) and in accordance with applicable law.
- use appropriate technical and organisational security measures to protect personal data against unauthorised or unlawful processing and against accidental loss, destruction or damage
- ensure appropriate data protection obligations are contained in the written contracts we have with all STS apprenticeship employers and other third parties to whom we disclose, or from whom we receive personal data.
- protect data and take appropriate measures when personal data is being transferred within and outside the Company, as well as to other jurisdictions
- respect and comply with the statutory rights available to data subjects in the relevant jurisdiction

We will put this policy into practice by applying policies, operating procedures and processes to ensure the protection of personal data.

Personal data collected

We may collect information directly from you in various ways, including over the phone, via email or otherwise in writing or via our IT systems and STS learning platforms. The personal information collected may include the following:

- Personal Details: full name, title, contact address, telephone numbers, email addresses.
- IT Details: information about the browser or device you used and the date and time you accessed our IT systems.

- Communication details including details of your query.

Special Category and Sensitive Data

We will not intentionally or systematically seek to collect, store or otherwise use information about you classed as 'special categories of data' or 'sensitive data' (for example, information relating to your ethnic origin, health or sexual orientation, criminal history). We may at times be required to ask for such special category and sensitive data in accordance with funding rules.

How and why we use your personal data

We may process your personal information where necessary for our legitimate interests, where such interests are not overridden by your data protection rights, such as:

- To contact you and manage any enquiries, complaints and feedback, including sharing with relevant Serco Citizen Services business units.
- To protect our legal rights and manage the security of our IT networks;
- For research purposes;
- Sale or reorganisation of the business; and
- For staff training purposes.

Less commonly we may ask you for consent to process your personal data for purposes explained to you at that time. We may also use your data for purposes required by law or we may rely on exemptions under the applicable data protection law and any such exemption will take priority over this STS Privacy Policy to the extent of any inconsistency.

If you have any queries about our use of your personal information please contact our Data Protection Officer (DPO) using the details set out in the Data Protection Contacts section below.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

Data Sharing

We will only share your personal information with third parties for the purposes stated above, including:

- The Operator of the relevant STS business unit you submitted your query about.
- Our external service providers that process your data for us on our behalf, including our IT service providers.
- Other organisations within the Serco group of companies, where such disclosure is necessary for our business;
- Professional advisors (e.g. law firms, insurers, auditors); and
- Government, regulatory and law enforcement bodies as required.

We may disclose your personal information to third parties in connection with a reorganisation, restructuring, merger, acquisition, sale or transfer of assets. Less commonly, we may process and share your personal data with third parties where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent.

Transferring your personal information outside the European Economic Area

Serco operates on a global basis and accordingly we may share personal information with other companies within Serco Group located outside the European Economic Area, but we will ensure such transfers are covered by our intra-group data sharing agreement entered into by all relevant entities. We may disclose your personal information to third parties outside the European Economic Area. Where we transfer your personal data outside of the European Economic Area, our standard approach is to do so on the basis of: (i) a European Commission adequacy decision; (ii) binding contractual commitments, which will include the European Commission's standard contractual clauses; or (iii) the company being registered and compliant with a European Commission approved privacy shield scheme.

Data Security

Serco takes precautions including administrative, technical and physical measures to safeguard your personal information, including documented employee procedures, internal monitoring and training to help ensure that your personal information is protected and secure. Our employees and contractors are bound by confidentiality obligations, and we only allow access to employees and contractors who need it to conduct their business responsibilities. We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a breach where we are legally required to do so. Should you (customer, learner, supplier, staff member) need to report a potential data breach or incident then please do so as soon as possible. See Data Protection Contacts section for local details.

Data Retention

We will store your personal information for as long as is reasonably necessary for the purposes for which it was collected. In some circumstances we may store your personal information for longer periods of time, for instance where we are required to do so in accordance with legal, regulatory/contractual, tax, accounting requirements.

Generally, we will adhere to relevant funder's contractual requirements and will retain your personal data in accordance with any applicable limitation period (as set out in any applicable law), which (for ESFA Apprenticeship provision) will usually be six (6) years following the expiry of our business relationship with you.

In specific circumstances we may store your personal information for longer periods of time so that we have an accurate record of your dealings with us in the event of any complaints or challenges, or if we reasonably believe there is a prospect of litigation relating to your personal information or dealings. When no longer necessary to retain your personal information, we will delete or anonymise it.

Your legal rights

You have legal rights in connection with your personal information. Under certain circumstances, by law you have the right to:

- **Right to object:** Data subjects have a right to object to our processing of their personal data.
- **Access to their personal data:** Data subjects can request access to a copy of their personal data which we hold, along with information on what personal data we use, why we use it, who

we share it with, how long we keep it for and whether it has been used for any automated decision making. Request for access can generally be made free of charge.

- **Right to withdraw consent:** Where we are relying on the consent of the data subject (often in the context of marketing emails), the data subjects are entitled to withdraw their consent at any time.
- **Rectification:** Data subjects can ask us to change or complete any inaccurate or incomplete personal data which Serco holds about them.
- **Erasure:** Data subjects can ask us to delete their personal data where it is no longer necessary for Serco to use it, they have withdrawn their consent (where consent is the legal basis relied upon), or where we have no lawful basis for keeping it.
- **Portability:** Data subjects can ask us to provide them or a third party with some of the personal data that we hold about them in a structured, commonly used, electronic form, so it can be easily transferred.
- **Restriction:** Data subjects can ask us to restrict the personal data we use about them where they have asked for it to be erased or where they have objected to our use of it.
- **Transfers outside of EU:** Data subjects have the right to obtain a copy, or reference to, the personal data safeguards used for transfers outside the European Union. We may redact data transfer agreements to protect commercial terms.

If you want to exercise any of the rights above, please submit your requests in writing to dpo@serco.com stating Skills and Training Services (STS) as the operational area. This will ensure that your submission to the DPO team reaches us promptly.

Data Protection Contacts

Reporting a Data Breach - should you (customer, learner, STS staff member, supplier) need to report a data breach (potential or otherwise) please contact joanne.wood@serco.com 07718 025 197 **immediately**. A process is in place to capture the details and manage incident with you from that point.

Any questions about how we handle your personal data - we have appointed a Data Protection Officer (DPO) to oversee compliance with this STS Data Protection Policy. If you have any questions about this Policy or how we handle your personal information, please address these to:

Data Protection Officer
Serco Limited
Enterprise House
11 Bartley Wood Business Park
Bartley Way
RG27 9XB
Alternatively, please email dpo@serco.com or call +44 (0)1256 745900.

Supervisory authority

We would be happy to address any concerns you have about your data privacy directly, and we encourage you to contact us in the first instance with your queries. However, you have a right to lodge a complaint with the Information Commissioner's Office (<https://ico.org.uk/concerns/> or telephone: 0303 123 1113) who will then investigate your complaint accordingly.

Policies to be read in conjunction with this Data Protection Policy

- Complaints and Appeals Policy [Link](#)
- How to Raise a Concern of Malpractice within STS (Whistleblowing) [Link](#)
- Acceptable Use Policy [Link](#)