

POLICY DOCUMENT
Privacy Policy - public
Ref PD/P

Document Control		
Document Ref: PD/P	Date Issued: 4 th March 2024	Document Classification: Public
Document Title: Privacy Policy	Date of Next Review: See BP23 Compliance Assurance Schedule	
Version: V2.3	Author: C. Hughes / K. Smith	

Change Log				
Date:	Change Description:	Proposed:	Actioned:	Approved:
27 March 2018	Creation of policy to address requirements of GDPR	CH	CH	<i>KSmith</i>
15 May 2018	Addition of 'right to be forgotten', details regarding Cookies, Data Controller & Data Protection Officer	CH	CH	<i>KSmith</i>
26 Sept 2018	Addition of additional note re storage of data (geographical)	KS	CH	<i>KSmith</i>
28 Nov 2018	No change made – policy reviewed and reissued	KS	CH	<i>KSmith</i>
12 Dec 2019	Removed reference to Data Protection Officer	KS	CH	<i>KSmith</i>
25 Feb 2020	Inserted ICO Registration Number; Updated Section 7 to clarify how to request access to info/correction of info/deletion of info; Updated Section 6 to clarify for how long recruitment info is retained	HL	HL	<i>KSmith</i>
16 Dec 2020	Updated to reflect UK exit from EU on 31/12/2020	CH	HL	<i>KSmith</i>
8 th June 2021	Updated to reflect OFI's from 2021 Internal Assurance Review and implementation of C19 Testing for Capella Trainers	KS	HL	<i>KSmith</i>
21 st June 2021	Updated to reflect seeking consent to publish case studies on Capella's website	KS	HL	<i>KSmith</i>
12 th August 2021	Updated Document Classification and several other minor updates	KS	HL	<i>KSmith</i>
27 th September 2022	Updated to include link to latest DfE/ESFA Privacy Notice for KS5 and Adult Education Updated to remove references to C19 information	KS	HL	<i>KSmith</i>
26 th June 2023	Updated to reflect best practice following review of ICO's Privacy Notice Template, including listing the personal information that we hold Data Retention Information updated following review of the Information & Records Management Society's Toolkit for Schools (recommended by the DfE)	HL/KS	HL	<i>KSmith</i>
9 th January 2024	Updated to reference the new Registered Address	LM (PMI)	LM/HL	<i>KSmith</i>
1 st February 2024	Fully updated to include all group companies and to cover both employees and associates	RAS	RAS	<i>KSmith</i>
4 th March 2024	Updated drafting relating to sub-processing	KS	RV	R.Seddon 27/02/24

POLICY DOCUMENT

Privacy Policy - public

Ref PD/P

Purpose

The purpose of this policy is to set out the intentions and key tools that The PMI & EG Group Limited and its subsidiary companies Capella Associates Limited and Process Management International Limited (The Group) will use to ensure that we are completely transparent about why we need the personal information we request and how we will use it.

The Group is committed to protecting your personal information and using it responsibly. Please read this policy carefully to understand:

- the type of personal information that we collect
- how and why we collect the personal information
- how we store your personal information
- your data protection rights
- how to raise concerns/complaints about our use of your personal information

We have referred to the Retention Guidelines recommended in the Information and Record Management Society's "Toolkit for Schools 2019" in developing this policy.

Data Controller and Processor information:

The Data Controller is The PMI & EG Group Ltd including its subsidiary companies Capella Associates Ltd and Process Management International Ltd which are registered companies in England and Wales.

The processing of your information is carried out by, or on behalf of, The PMI & EG Group Ltd, Process Management International Ltd, Capella Associates Ltd.

Contacting us:

If you have any questions about this Privacy Policy and how we use your information you can contact us by writing to us at our Registered Office:

Villiers Court,
Meriden Business Park,
Birmingham Road,
Meriden,
CV5 9RN

or by calling us on: 01676 522 766

or by emailing us at: Support@pmi.co.uk

We review this Privacy Policy annually, and publish the latest version on our website <https://pmi.co.uk>

POLICY DOCUMENT

Privacy Policy - public Ref PD/P

Section A: General Information relating to Data

Your rights

Under the UK General Data Protection Regulations (UK GDPR) you have the following rights:

- **Information Right** – the right to receive the information contained in this policy and our data collection forms about the way we process your personal data.
- **Personal Data Access Right** – the right to know that we are processing your personal data and, in most circumstances, to have a copy of your personal data that we hold. You can also ask for certain other details, such as what purpose we process your data for and how long we hold it.
- **Personal Data Correction Right** – you have the right to request that we correct inaccurate data or update incomplete data that we hold on you.
- **Personal Data Erasure Right** – known as the right to be forgotten. In certain circumstances you may request that we erase your personal data held by us.
- **Personal Data Restriction Right** – You have the right to restrict the way we process your personal data in certain circumstances, for example if: you contest the accuracy of the data, if our processing is unlawful, to pursue legal claims, or where we are relying on legitimate interests to process data.
- **Data Processing Objection Right** – You have the right to object to us processing your data, for example for direct marketing purposes
- **Data Portability Right** – you have the right to receive a copy of certain personal data or to have it transferred to another organisation in some circumstances

If you would like to exercise any of the above Rights, please contact us using the Contact Details contained on Page 2 of this Policy.

Lawful bases for collecting your personal data

We will only use your information where we have a legal basis to do so and we will always respect your rights.

The majority of the personal information The Group obtain is provided to us directly by apprentices/delegates and their employers, or by Employees/Associates/Potential Associates/Potential Employees (as applicable) for one of the following reasons:

- You have given us your **consent** to use the information provided for a specified purpose, such as:
 - enrolment to a levy funded training programme (ie an apprenticeship training programme)
 - associate/employee recruitment and contract purposes
 - training courses, coaching sessions, workshops or online learning

POLICY DOCUMENT

Privacy Policy - public
Ref PD/P

Where we use your personal information based on your prior consent you can withdraw your consent at any time by contacting us (See Page 2 of this Policy for our contact details).

- We need to obtain and/or use your information to fulfil a **contract**:
 - with your employer (regarding the provision of training to apprentices/delegates)
 - with the Education and Skills Funding Agency (ESFA)(regarding the provision of Levy funding for apprenticeship training)
 - between the Group and the Consultant/Trainer (for the provision of services)
- We are using your information in pursuit of a **legitimate interest**, for example, to ensure we provide high-quality training to our learners and to ensure that our Associates and Employees comply with their contractual requirements. Where we rely on a legitimate interest to use your information, we will always ensure that this is done in a way so as not to be intrusive or cause distress, and that respects your rights.

Further information regarding the lawful basis under which we collect and use personal data is provided in the Tables in Sections B to E below.

Sharing your information with other organisations

We will never share your information with third parties for their own purposes, unless we are legally required to do so. For example, where we are legally required to provide your data to the ESFA and Ofsted for regulatory purposes relating to Apprenticeship programmes.

For further information regarding how the Department for Education (including the ESFA) uses your personal data, and how you can submit a request to the DfE regarding your personal data or make a Complaint to the DfE, please follow the link below to the DfE's Privacy Notice for Key Stage 5 and Adult Education:

[Privacy notice for Key Stage 5 and adult education - GOV.UK \(www.gov.uk\)](https://www.gov.uk/privacy-notice-for-key-stage-5-and-adult-education)

We use a small number of suppliers known as 'data processors' to process data on our behalf, for example, for the delivery of Online Learning Management portals or the provision of supporting services. When enlisting the services of such suppliers we ensure that they are under a contractual obligation to only use your information in accordance with relevant legislation and our instructions, and that they use your information for no other purposes.

Further information regarding the sharing of data is contained in Sections B -E below.

POLICY DOCUMENT

Privacy Policy - public Ref PD/P

Usage of your information for Sales and Marketing purposes

If you have contacted The Group to enquire about our services, or have previously used our services, we will consider this to be a request to send you details about our services, and we will use the details you have provided to contact you (via phone, email or any other channels for which you have provided your details) regarding these as appropriate.

The Group will retain your contact details until you notify us that you no longer wish to receive such communications, or until The Group decides that we no longer have a requirement to retain your contact details (whichever is the earliest).

If you have given your consent for the Group to publish content on our website and/or social media sites in order to promote the benefits of Quality & Continuous Improvement then The Group may publish such information, in the form of Case Studies and/or Testimonials, on our websites and/or our social media sites. The Group will retain this information, and your consent, until you notify us that you no longer provide your consent, upon which we will update our records accordingly and will delete the information and the consent.

Transferring and sub-processing of your information outside the UK and EEA

The Group, and the organisations who work on our behalf, will not transfer your information outside the EEA. However, we use cloud-based services for storage of documentation and as such we cannot guarantee the specific geographic location, wherever possible this will be within the UK or EEA. In specific and necessary circumstances your data may be sub-processed outside of the UK or EEA such as providing technical support or similar services. Where and when such sub-processing is undertaken it will be in accordance with and subject to a data sub-processing agreement. Any and all data sub-processing undertaken on our behalf shall be in accordance with relevant EEA and UK law.

Deletion of Data

Once the relevant retention period has expired (see Tables below) we will securely destroy your personal data.

Complaints

If you have any complaints about how we handle your personal data, please contact us, using the contact details contained on Page 2 of this Policy, so that we can endeavour to resolve the issue.

POLICY DOCUMENT

Privacy Policy - public

Ref PD/P

A copy of our Complaints Policy is available on our website (<https://pmi.co.uk>) for your reference.

If you have any concerns regarding how the DfE/ESFA handle your personal data, please see the DfE's Privacy Notice for KS5 and Adult Education, which includes details regarding how to complain to the DfE.

[Privacy notice for Key Stage 5 and adult education - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

You also have the right to lodge a complaint about any use of your information with the Information Commissioners Office (ICO), the UK data protection regulator, whose contact details are below:

Information Commissioner's Office
Website: <https://ico.org.uk/concerns/>
Helpline number: 0303 123 1113

For further information please see the ICO's website

Cookies

We use 2 types of system Cookies on our website:

- Cookies that are required for the site functionality to work. These do not collect or hold any personal data.
- Analytics Cookies. We use these to monitor visitor behaviour, so we can analyse website activities and improve your user experience.

POLICY DOCUMENT

Privacy Policy - public
Ref PD/P

Section B: Information relating to Apprentices (ESFA Levy Funded Training Programmes)

The Table below provides information regarding the type of personal information that we collect relating to Apprentices; how we obtain that personal information; what we use that personal information for; and how long we retain that personal information.

Type of Personal Information Held relating to Apprentices	How we obtain the personal information	What we use the information for	How long we retain the information for
Name and Contact Details	This information is provided by the apprentice during the enrolment process	We use this information to enrol you onto the Apprenticeship Training Programme detailed within our contract with your employer, and to enable us to fulfil the ESFA's contractual requirements for Levy Funded Training Providers	Minimum of 7 Years after the end of the financial year in which the final payment of funding for a programme is made
Emergency Contact Details			
National Insurance Number			
ULN			
Employer			
Date of Birth			
Gender			
Nationality			
Ethnic Origin			
Health & Disability information			
Employment & Household Status			
Criminal Convictions (Y/N)			
Copy of Right to Work Evidence			
Copy of Qualification Results and Certificates			
Remote Recording Consent			

POLICY DOCUMENT

Privacy Policy - public
Ref PD/P

Type of Personal Information Held relating to Apprentices	How we obtain the personal information	What we use the information for	How long we retain the information for
BKSB Results	This information is provided by the Apprentice, their Trainer and/or their Programme Manager during the training programme	We use this information to ensure: - that you are enrolled onto the most suitable training programme for you - that you receive any additional support that you require - your safety, wellbeing, progress and achievement - that we comply with our contractual requirements with the ESFA	Minimum of 7 Years after the end of the financial year in which the final payment of funding for a programme is made
Functional Skills Results			
Delegate Support Information			
Safeguarding & Prevent Information			
Attendance Records			
Progress & Attainment Records			
Breaks in Learning and Withdrawal Records			
Recordings of Training Sessions (where prior written consent has been provided)	We record all training sessions providing that all attendees have provided their consent	We provide apprentices with access to the recordings for their subsequent review during the lifetime of the programme	Recordings of training sessions are retained for the lifetime of the programme

We use the information you provide us to ensure that we are able to fulfil our contractual obligations with your employer to provide you with apprenticeship training. This will include the fulfilment of statutory regulatory requirements regarding the collection and processing of information required by the Education and Skills Funding Agency (ESFA) for the administration and eligibility checking of funding, and the retention of documentation for regulatory audit purposes by both the ESFA and Ofsted.

For further information regarding how the Department for Education (including the ESFA) uses your personal data, and how you can submit a request to the DfE regarding your personal data or make a Complaint to the DfE, please follow the link below to the DfE’s Privacy Notice for Key Stage 5 and Adult Education:
[Privacy notice for Key Stage 5 and adult education - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

We may share the following information relating to Apprentices with Third Parties:

- BKSB Results, Functional Skills Test Results and Delegate Support Needs may be shared with our Functional Skills Provider in order to ensure that our Functional Skills Provider is able to meet the apprentices’ needs and that they achieve the required results

POLICY DOCUMENT

Privacy Policy - public
Ref PD/P

- Apprentice Name, ULN, Employer, Delegate Support Needs (Y/N) and EPAO requirements may be shared with our End Point Assessment Organisation (EPAO) for the purposes of processing the End Point Assessment and achievements
- Delegate Support Needs may be shared with the Apprentices' employer if the Apprentice provides their consent for such information sharing and it is felt that the sharing of this information would be helpful for the Apprentice
- Apprentice Data (eg name, address, ULN, Date of Birth) may be shared with the ESFA and/or other Government Departments (eg Department of Education) in order to enable them to exercise their functions (eg provision of funding)
- Apprentice Data (eg EPAO results; attendance data) may be shared with Ofsted in order to enable them to exercise their inspection function
- Apprentice Data may be shared with Third Party Providers procured by us for the purposes of external audit and compliance assurance
- Apprentice Data (eg name, address, Date of Birth) may be shared with the LA if they request such data via Section 72 of the Education and Skills Act 2008
- Apprentice Data (eg name, address, Date of Birth) may be shared with the Emergency Services and/or the Regional Prevent Co-ordinator in exceptional circumstances (risk to life; risk of harm)
- Anonymised Apprentice Information may be shared with our Advisory Board for the purposes of evaluation and improvement

Keeping your Data Up To Date

We request that all apprentices notify their Programme Manager of any changes in their personal details (eg change of name; change of address; change to hours of employment) that occur during the course of their programme in order that we can ensure that our records are up to date.

POLICY DOCUMENT

Privacy Policy - public
Ref PD/P

Section C: Information relating to Delegates on Commercially Funded Training Programmes, workshops and/or coaching sessions

The Table below provides information regarding the type of personal information that we collect relating to Delegates on Commercially Funded Training Programmes; how we obtain that personal information; what we use that personal information for; and how long we retain that personal information.

Type of Personal Information Held relating to delegates on commercially funded training programmes	How we obtain the personal information	What we use the information for	How long we retain the information for
Name and Contact Details	Information provided by the Delegate via their completion of our Programme Registration Form (BP6) and the Remote Recording Consent Form	Processing the delegate’s booking/registration; Creating the Programme Register; Contacting Delegates regarding their programme; Conducting our legitimate business interests (delivering training and development programmes)	Minimum of 7 years in order to maintain certification and training records.
Emergency Contact Details			
Employer and Date joined employer			
Delegate’s Line Manager’s name and Contact Details			
Remote Recording Consent			
Delegate Support Needs			

We use the information you provide us with to ensure that we are able to fulfil our contractual obligations with you / your employer to provide our services.

The Group does not share any information relating to Commercial Delegates with any Third Party Organisations.

Keeping your Data Up To Date

We request that all delegates notify their Programme Manager of any changes in their personal details (eg change of name; change of address; change to hours of employment) that occur during the course of their programme in order that we can ensure that our records are up to date.

POLICY DOCUMENT

Privacy Policy - public
Ref PD/P

Section D: Information relating to Group Associates and Employees

When applying for a role with The Group, the personal data you provide as part of the recruitment process will be held and processed for the purpose of the selection processes and in connection with any subsequent contract that may be entered into unless otherwise indicated (see the Table below for further details regarding data retention).

By submitting your personal information within your application, you are consenting to The Group holding and using your information, and you are also consenting to The Group carrying out a review of your social media accounts to ensure your suitability for the role, which may involve contact with children and vulnerable adults, as per the recommendations of Keeping Children Safe in Education (KCSIE).

As part of the recruitment process, you will be required to provide certain information including your name, contact details, employment history and qualifications. This information is mandatory for The Group to consider your application; to communicate with you about your application; and, where successful, to follow up with references and to meet our statutory and regulatory responsibilities with regards to Safer Recruitment and Right to Work.

Successful applicants will be required to provide The Group with visibility of a recent DBS Check prior to entering into any Agreement, and all applicants are required to refresh this DBS Check every 2 years thereafter.

The Table overleaf provides information regarding the type of personal information that we collect relating to Associates and Employees; how we obtain that personal information; what we use that personal information for; and how long we retain that personal information.

POLICY DOCUMENT

Privacy Policy - public
Ref PD/P

Type of Personal Information Held	How we obtain the personal information	What we use the information for	How long we retain the information for
Name and Contact Details and basic medical details, Date of Birth, bank account details for payments	This information is provided during the recruitment process and/or as required thereafter	We use this information to: - contact you regarding your application - assess your suitability for the role - carry out Safer Recruitment Checks and Right to Work Checks	For successful candidates: For the duration of the contract + 6 years For unsuccessful candidates: From the date of appointment of the successful candidate + 6 months
Copy of CV and/or Application Form			
Right to Work Check Evidence, National Insurance Number, Proof of Identity			
Copy of Qualification Certificates			
Copy of References	Information obtained by contacting the references provided as part of the recruitment process	To carry out Safer Recruitment Checks and Right to Work Checks	For successful candidates: For the duration of the contract + 6 years
Results of Online/Social Media Check	Via the review of social media accounts (Applicants made aware that this check will be carried out in adverts/procedures)	To carry out Safer Recruitment Checks and Right to Work Checks	For unsuccessful candidates: From the date of appointment of the successful candidate + 6 months
Notes from Interview(s)	The information is obtained during interview	To carry out Safer Recruitment Checks and Right to Work Checks and to assess your suitability for the role	
Results from Tests	The information is obtained either prior to or during their interview	To assess your suitability for the role	
Contract of Engagement and related Schedules	The Contract and related Schedules are sent for signature and return	For contractual purposes	For the duration of the contract + 6 years

POLICY DOCUMENT

Privacy Policy - public
Ref PD/P

Type of Personal Information Held	How we obtain the personal information	What we use the information for	How long we retain the information for
Emergency Contact Details (including next of kin)	Provided directly	To make contact in emergency situations (Vital Interest)	For the duration of the contract
Remote Recording Consent	Provided directly	To obtain consent to record training sessions	For the duration of the contract + 6 years
Induction Checklist	We obtain this information directly	To ensure that new recruits are properly inducted (legitimate interest)	For the duration of the Contract + 6 years
DBS Evidence (Certificate Number; Certificate Date; Certificate Type; Certificate Status)	The applicant provides this information via visibility of their DBS Certificate	We use this information as part of our Safer Recruitment process	For the duration of the contract + 6 years
Information held on Single Central Record (Name, Address, Contact Details, Safer Recruitment Information; Insurance Expiry Dates; Contract Review & Observation Dates; Dates completed Safeguarding & Prevent Training)	Directly Provided	To ensure that we comply with the statutory requirements of the ESFA Contract and to ensure that we comply with policies and procedures (legitimate interest)	For the duration of the Contract + 6 years
Declaration of Interests Form	Directly Provided	To comply with Policies (legitimate interest)	Date Contract Ended + 6 years
Code of Conduct Declaration			
Modern Slavery Declaration			
CPD Records and Skills Matrix	From the individual and their Contract Manager	To identify any training/skills gaps (legitimate interest)	Date Contract Ended + 6 years
Records of Contract Review Meetings	From the individual and their Contract Manager	To monitor performance (legitimate interest)	Current Year + 6 years

POLICY DOCUMENT

Privacy Policy - public
Ref PD/P

Type of Personal Information Held	How we obtain the personal information	What we use the information for	How long we retain the information for
Records of Observations	From the individual and their Observer	To identify the Associate's/ Employee's strengths and weaknesses (legitimate interest)	Current Year + 6 years
Feedback from Surveys	From those Individuals who consent to complete the survey	To identify company's strengths and weaknesses (legitimate interest)	Current Year + 6 years
Records relating to any complaints made regarding an Associate/Employee (excluding child protection complaints)	From the complainant, the individual and any witnesses and investigators	To Safeguard our learners and Associates/ Employees	Current year + 6 years
Records relating to any allegation of a child protection nature made against an individual <i>(Note: Allegations that are found to be malicious are removed from the Associate's file)</i>	From the complainant, the individual and any witnesses and investigators	To Safeguard our learners and Associates / Employees	Until the normal retirement age or 10 years from the date of the allegation, whichever is the longer
Copy of all invoices or expense claims submitted and paid	Provided directly	To pay invoices, payroll and expenses	Indefinitely
Bank Details			End of Contract
Leaver's Checklist	From the individual and their Manager	To ensure that all required actions are completed prior to the termination of a contract	Current Year + 6 Years

The Group may share the information detailed below relating to Associates and Employees with the following Third Parties:

- Single Central Record (SCR) data may be shared with Ofsted as part of an Ofsted Inspection
- Bank Details will be stored in our banks electronic systems for the purposes of paying invoices

POLICY DOCUMENT

Privacy Policy - public
Ref PD/P

- The information provided in Surveys may be shared with a Third Party Provider for the purposes of analysing the results
- An anonymised version of the results from Surveys may be shared with the Advisory Board for the purposes of evaluation and improvement
- Complaints Information may be shared with relevant Third Parties (eg ESFA, Ofsted, DBS Service, Police) where statutorily required or where deemed appropriate

Keeping Your Data Up To Date

We request that all Associates and Employees notify their Contract Manager of any changes in their personal details (eg change of name; change of address) that occur whilst under contract so we can ensure that our records are up to date.

Section E: Information relating to Clients and Providers

The Table below provides information regarding the type of personal information that we collect relating to Clients and Providers; how we obtain that personal information; what we use that personal information for; and how long we retain that personal information.

Type of Personal Information Held relating to clients and providers	How we obtain the personal information	What we use the information for	How long we retain the information for
Name and Contact Details	We obtain this information directly from the client/provider and/or prospective clients/providers	For sales and marketing purposes	We retain this information until the client/provider (or prospective client/provider) requests us to delete their data or until we determine that we no longer have a requirement to hold the data, whichever occurs first

We do not share any information relating to clients and/or providers with any Third Party Organisations.