

### Ginger Nut Training – Data Protection Policy

<b>Document Title</b>	Ginger Nut Training – Data Protection Policy
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<b>Date of Approval</b>	August 2023
<b>Responsible Person</b>	Harry Simpson
<b>Policy Due for Renewal</b>	February 2025
<b>Version</b>	000.1

## Data Protection Policy

### Purpose

To ensure Ginger Nut Training and related parties apply appropriate measures to comply with the eight principles of the Data Protection Act 2018, summarised below, and so meet Ginger Nut Training's statutory requirements and mitigate against penalties applied under the Act. Personal information (data relating to a living individual):

- Must be processed data fairly and lawfully
- Must be obtained for one or more specific and lawful purposes and only processed in a manner compatible with them
- Must be adequate, relevant and not excessive for the purposes defined
- Must be accurate and where necessary kept up to date
- Shall not be kept for longer than is necessary
- Must be processed in accordance with the data subject's rights
- Must be kept secure
- Must not be transferred outside the European Economic Area unless there is adequate protection for the rights of data subjects

Scope All Directors, Partners, Associates, Personnel, Customers & Learners of Ginger Nut Training.

Ginger Nut Training is committed to a policy of protecting the rights and privacy of individuals, including learners, staff and all others that we work with, in accordance with the Data Protection Act.

Ginger Nut Training regards the lawful and correct treatment of personal information as very important to successful operations and to maintaining the confidence of those with whom we deal.

We will always do our utmost to ensure that our organisation treats personal information lawfully and correctly. To this end, Ginger Nut Training fully endorses and adheres to the Principles of Data Protection as enumerated in the Data Protection Act 2018.

### Specific Responsibilities

In normal course, Ginger Nut Training needs to process certain information about employers, learners, staff and other individuals it has dealings with, for administrative purposes e.g. to recruit and pay staff, to administer courses and training, to record training progress, to book Health and Safety tests, and to comply with our legal obligations to funding bodies and government.

To comply with the law, information about individuals must be collected and used fairly, stored safely and securely and not disclosed to any third party unlawfully. The policy applies to all staff and associates as well as learners using Ginger Nut Training services.

Any breach of the Data Protection Act 2018 or the company Data Protection Policy is considered to be an offence and, in that event, Ginger Nut Training's disciplinary or termination procedures will apply. As a matter of good practice, individuals working with Ginger Nut Training who have access to the personal information of others will be expected to have read and to comply with this policy at all times.

### Data Protection Strategy

To ensure the Data Protection Policy is updated in compliance with changes to privacy laws and regulations, the following strategies are in place:

- All Ginger Nut Training staff receive accredited Data Protection training, to enable them to comply with the essential principles of the Data Protection Act and the EU and UK General Data Protection Regulation. Training is renewed every two years.
- Ginger Nut Training is registered with the Information Commissioner's Office and the Directorship receive email alerts of any changes to privacy laws and regulations.
- Ginger Nut Training's Directorship and senior Administration staff are registered to receive industry specific updates via email from the Association of Employment and Learning Providers, Education and Skills Funding Agency, and Department for Education.
- Changes are monitored constantly, and the policy and associated processes are reviewed and updated as required by Ginger Nut Training's Directorship.
- A Data Processing Impact Assessment will be performed by the responsible Director before any changes to procedures are implemented whereby a type of processing is likely to result in a high risk to the rights and freedoms of individuals.
- Should any significant changes be required by law, we will seek external specialist advice before approving the policy update,

- Any changes made will be communicated to all employees via BreatheHR and immediately posted on the website. Should training be required, responsibility will sit with Line Managers and must take place within 14 days of amendments to the policy.
- At minimum, the policy and associated processes are reviewed annually by Ginger Nut Training's Directorship – however, the policy is audited by external clients regularly and changes implemented upon request when deemed appropriate and necessary by Ginger Nut Training's Directorship.

To ensure that the Data Protection Policy is delivered and achieved, a number of strategies are maintained. These strategies are reviewed annually by Ginger Nut Training's Senior Management Team who:

- Ensure that all personal data held is maintained securely and safely and that information is not disclosed to any unauthorised third parties.
- Ensure that all data held is accessible only by those who need it and that all data held in a computerised format is password protected and that manual records are not left where they can be accessed by unauthorised personnel. Manual records that are no longer required are to be disposed of as confidential waste or shredded.
- Ensure that personal data is not disclosed to unauthorised third parties and that caution will be exercised when including personal data within reports or listings.
- Ensure that we do not use personal data for direct marketing purposes or provide data to third parties. If data is to be entered onto third party databases for legislative or funding requirements, permission will be requested from individuals prior to doing so. Ginger Nut Training is the data controller under the Act.
- A Responsible Director has been appointed by Ginger Nut Training who is responsible for day-to-day data protection matters and for developing specific guidance notes on data protection issues for members and associates of the company.
- The executives of Ginger Nut Training and all those in managerial or supervisory roles are responsible for developing and encouraging good information handling practice within their teams.
- Compliance with data protection legislation is the responsibility of all members of the company who process personal information.
- Members and associates of Ginger Nut Training are responsible for ensuring that any personal data supplied to Ginger Nut Training is accurate and up-to-date.

It will be the responsibility of each Ginger Nut Training manager (or delegated officer) to:

- Ensure their division's compliance with the Data Protection Act and implement agreed work and training programmes for Data Protection.

- Arrange with Responsible Director to ensure data protection training is included at induction and that training is monitored.
- Identify and record information asset owners who keep personal data within their division.
- Disseminate guidance to information asset owners within their division.
- Ensure that information asset owners are trained in the principles of the Act and the procedures for their implementation within their division.
- Undertake other Data Protection tasks assigned by the Protection Officer.

It will be the responsibility of each information asset owner to:

- Inform the Protection Officer of existing records and proposals to process personal information.
- Ensure that they receive training on the Data Protection Act.
- Ensure that the data custodians assigned to their datasets are made aware of the standards applicable to their datasets and monitor their adherence.

As data custodians, it is everyone's responsibility to:

- Ensure any specific responsibilities for Data Protection are recorded in their role profile.
- Understand and implement the eight Data Protection Principles Review.

The Protection Officer will record any complaints in respect of the Act and will report to the Ginger Nut Training Managing Partner any recommendations for changes to the policy.

## Glossary of Terms

**Information Asset Owner** - a person within Ginger Nut Training who establishes standards for a set of data. The standards cover the structure of elements of the data, the retention period, the indexing, the access, the security measures etc.

**Data Custodian** - a person (not necessarily in Ginger Nut Training) who adds, amends, disposes, archives, or allows access to data, according to the standards set by the Information Asset Owner.

## Principles of data protection in the Data Protection Act

Anyone processing personal data at Ginger Nut Training must comply with the eight enforceable principles of good practice as set out in the act.