

Ginger Nut Training.



Document Title

Ginger Nut Training Data Protection Policy

Originator

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Responsible Person

Jim Thomas

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Ginger Nut Training Data Protection Policy

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1. Introduction

Ginger Nut Training is committed to protecting the privacy and security of personal data. This policy outlines our approach to data protection and our compliance with the General Data Protection Regulation (GDPR) and other relevant legislation.

This policy also reflects the UK Data Protection regime as amended by the Data (Use and Access) Act 2025 ("DUAA"). The DUAA introduces updates to lawful bases for processing, enhanced ICO enforcement powers, changes to cookie and PECR requirements, and strengthened protections for children using online services. Ginger Nut Training is committed to implementing and maintaining compliance with all DUAA-related obligations.

2. Scope

This policy applies to all employees, contractors, and third-party service providers who handle personal data on behalf of Ginger Nut Training.

3. Data Protection Principles

We adhere to the following principles when processing personal data:

- **Lawfulness, Fairness, and Transparency:** Data is processed lawfully, fairly, and in a transparent manner.
- **Purpose Limitation:** Data is collected for specified, explicit, and legitimate purposes and not further processed in a manner incompatible with those purposes.
- **Data Minimisation:** Data is adequate, relevant, and limited to what is necessary for the purposes for which it is processed.
- **Accuracy:** Data is accurate and, where necessary, kept up to date.
- **Storage Limitation:** Data is kept in a form that permits identification of data subjects for no longer than necessary.
- **Integrity and Confidentiality:** Data is processed in a manner that ensures appropriate security, including protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage.

4. Data Subject Rights

Individuals have the following rights regarding their personal data:

- **Right to Access:** Obtain confirmation as to whether or not personal data is being processed and access to the data.
- **Right to Rectification:** Request correction of inaccurate or incomplete data.
- **Right to Erasure:** Request deletion of data under certain conditions.
- **Right to Restrict Processing:** Request restriction of processing under certain conditions.
- **Right to Data Portability:** Receive data in a structured, commonly used, and machine-readable format and transmit it to another controller.
- **Right to Object:** Object to the processing of data under certain conditions.
- **Rights Related to Automated Decision-Making:** Not be subject to a decision based solely on automated processing, including profiling.
- **Right to Raise a Data Protection Complaint:** Individuals have the right to raise concerns about how their personal data is processed. In line with the DUAA's mandatory complaints-handling requirements (in force from 19 June 2026), Ginger Nut Training maintains a formal internal data protection complaints procedure. All complaints are logged, acknowledged promptly, and handled in a structured manner.

Information on how to submit a data protection complaint is available on request.

5. Data Collection and Processing

We collect and process personal data for the following purposes:

- Providing and managing training programmes.
- Complying with legal and regulatory obligations.
- Communicating with clients and stakeholders.
- Improving our services and operations.

Where any of our digital learning platforms or services may be accessed by individuals under 18, we comply with DUAA-related obligations requiring enhanced safeguards, ensuring that content, technical measures, and privacy controls are age-appropriate and promote the safety and rights of children.

6. Data Sharing and Third Parties

We may share personal data with third parties, including:

- Service providers who assist in our operations.
- Regulatory bodies and authorities.
- Clients and stakeholders, where necessary.

We ensure that third parties comply with data protection standards and have appropriate safeguards in place.

7. Data Security

We implement appropriate technical and organisational measures to ensure the security of personal data, including:

- Encryption and secure storage of data.
- Access controls and authentication mechanisms.
- Regular security assessments and audits.

We comply with the Privacy and Electronic Communications Regulations (PECR) as amended by the DUAA, including updated requirements for the use of cookies and similar technologies. We ensure appropriate consent mechanisms, transparency and user controls on our websites.

8. Data Breach Procedures

In the event of a data breach, we will:

- Notify the relevant supervisory authority within 72 hours.
- Inform affected individuals without undue delay.
- Take steps to contain and mitigate the breach.
- Conduct a thorough investigation and implement corrective actions.

9. Data Retention and Disposal

We retain personal data only for as long as necessary to fulfil the purposes for which it was collected. Data that is no longer needed is securely disposed of using appropriate methods.

For apprenticeship and education-funded programmes, Ginger Nut Training complies with ESFA and DfE requirements relating to evidence retention, ILR (Individualised Learner Record) data submissions, and audit trails. Retention periods for learner-related data follow DfE/ESFA funding rules, including requirements for storing learning evidence, ILR data, funding documentation, and associated audit records. Data may be retained for longer than our standard retention schedules where required to meet ESFA or DfE audit and assurance obligations.

For non-funded or commercial training programmes, retention schedules follow our internal retention register unless legal or contractual obligations require longer retention

10. Data Protection Impact Assessments (DPIAs)

We conduct DPIAs for processing activities that are likely to result in high risks to individuals' rights and freedoms. DPIAs help us identify and mitigate risks associated with data processing.

11. Training and Awareness

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.

12. Monitoring and Updates

Ginger Nut Training is registered with the Information Commissioner's Office, and the Directorship receives 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.

Any changes will be communicated to all employees via BreatheHR and immediately posted on the website.

This policy should be read alongside the Ginger Nut Training Privacy Notice published on our website (<https://gingernuttraining.co.uk/privacy-policy/>). Where differences arise between internal documentation and the online Privacy Notice, the publicly published Privacy Notice will serve as the authoritative and most up-to-date statement of how we process personal data.

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 are implemented upon request when deemed appropriate and necessary 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 advice from external specialists before approving the policy update.

13. Contact Information

For any questions or concerns regarding this policy or data protection practices, please contact:

- **Data Protection Officer:** dan.williams@gingernuttraining.co.uk
- **Data Breaches:** delivery@gingernuttraining.co.uk

For complaints: You may submit a formal data protection complaint to our Data Protection Officer using the contact details above. Our internal complaints procedure ensures all concerns are fully investigated and responded to within statutory timescales.

14. Glossary of Terms

- **Data Subject:** An individual whose personal data is being processed.
- **Personal Data:** Any information relating to an identified or identifiable natural person.
- **Processing:** Any operation or set of operations performed on personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation, alteration, retrieval, consultation, use, disclosure, dissemination, alignment, combination, restriction, erasure, or destruction.
- **Controller:** The entity that determines the purposes and means of processing personal data.
- **Processor:** The entity that processes personal data on behalf of the controller.
- **Data Protection Officer (DPO):** The person responsible for overseeing data protection strategy and implementation to ensure compliance with GDPR requirements.
- **GDPR:** General Data Protection Regulation, a legal framework that sets guidelines for the collection and processing of personal data of individuals within the European Union.
- **Data Breach:** A security incident that leads to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data.
- **Encryption:** The process of converting information or data into a code to prevent unauthorised access.
- **Retention Period:** The length of time personal data is kept before being securely disposed of.
- **Third Party:** Any entity other than the data subject, controller, or processor that processes personal data.
- **DUAA (Data Use and Access Act 2025):** UK legislation that updates data protection rules relating to lawful bases, children's protections, ICO enforcement powers, PECR/cookie obligations, and handling of data access and complaints.

Jim Thomas

Jim Thomas (Feb 26, 2026 15:44:07 GMT)

Dan Williams

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