



Privacy Statements for UHL Apprenticeship and Development Centre and ESFA UHL Apprenticeship and Development Centre Privacy Notice

Adapted from Patient Privacy Notice Version 1.1 Privacy Unit May 2018. Reviewed 31/07/2020

The General Data Protection Regulation (GDPR) became law on 24th May 2016. This is a single EU-wide regulation on the protection of confidential and sensitive information. It entered into force in the UK on the 25th May 2018, repealing the Data Protection Act (1998).

For the purpose of applicable data protection legislation (including but not limited to the General Data Protection Regulation (Regulation (EU) 2016/679) (the "GDPR"), and the Data Protection Act 2018. University Hospitals of Leicester NHS Trust is a registered "Data Controller", Information Commissioner Office (ICO) registration number Z7882087. We collect and process personal information about you as a learner. This notice explains how we use and share your information. Information may be collected in the following formats - paper, online, telephone, email, CCTV or by a member of our staff, or one of our partners.

We will continually review and update this privacy notice to reflect changes in our services and feedback from service users, as well as to comply with changes in the law. When such changes occur, we will revise the "last updated" date as documented in the version control section.

This Notice explains:

- Who we are, how we use your information and who our Data Protection Officer (DPO) is
- What kinds of personal information about you we process
- What the legal grounds for our processing of your personal information are (including when we share it with others)
- What you should do if your personal information changes
- How long do we retain your personal information?
- What your rights under data protection law are

Why we collect information about you

We need information about you so that we can give you the best possible service. When you encounter the training service provided at University Hospitals of Leicester NHS Trust, you will be asked to provide details about yourself. This information will help us provide the following:

- Deliver high quality teaching and learning services
- Confirm your identity to ensure that we have accurate, up to date information to provide the best possible learning solutions for you.
- Support the provision of joined up services that meet your education needs.
- Plan, manage and work out what support services are needed where and when
- Enable the hospital to be paid for your education through the apprenticeship levy or your employer
- Support audits of NHS, OFSTED, ESFA or partner services and accounts
- Contribute to national NHS statistics.

We may not be able to provide you with a service unless we have enough information about you.



For processing to be lawful under the General Data Protection Regulation (GDPR) we need to identify a legal basis before we can process personal data. These are often referred to as the 'lawful basis for processing'. The identified legal basis for University Hospitals of Leicester NHS Trust to process data is:

'6(1)(e) – Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.'

What information we collect about you

What are the different types of data?

According to the General Data Protection Regulation, personal data means any information relating to an identified or identifiable natural person. An identifiable person may be someone who can be identified directly or indirectly.

Sensitive Personal Data relates to information concerning a data subject's racial or ethnic origin, political opinions, religious beliefs, trade union activities, physical or mental health, sexual life or details of criminal offences.

Pseudonymised data takes the most identifying fields within a database and replaces them with artificial identifiers or pseudonyms. For example, a name is replaced with a unique number. Pseudonymised data is not the same as anonymised data. When data has been pseudonymised it still retains a level of details in the replaced data that should allow tracking back of the data to its original state.

Anonymisation is the process of turning data into a form which does not identify individuals and where identification is not likely to take place. This allows for a much wider use of the information as it changes it from personal data to statistical data. Where possible, University Hospitals of Leicester NHS Trust uses and shares anonymised data instead of identifiable data to protect the confidentiality of the subjects involved while still being able to plan services.

What we collect and why we use it:

Personal demographic details including your name, address, date of birth, and phone number for:

- Identifying you, to ensure we have the right person
- Planning our services in the local area
- To contact you regarding evaluation, next step learning and feedback via email (you can opt out of this if you like by contacting us, following opt out instructions in the message or informing staff when you attend the Centre). We are obliged to collect feedback to support the development of learners and we share this feedback nationally but all details that identify you are removed before sharing.

Sensitive information: health data and diagnostic data

- This information is taken so that we can offer you the best learning experience available and tailor it to your needs. It is kept securely and only those with a need to see it are allowed access.
- We may share anonymised information regarding your health with other agencies and organisations. This work is completed in accordance with Data Protection law.



Closed Circuit Television (CCTV) /surveillance

We have installed CCTV systems in some of our premises that are used by members of the public, for the purposes of public and staff safety and crime prevention and detection. CCTV is also installed on the outside of some of our buildings for the purposes of monitoring building security and crime prevention and detection.

Images captured by CCTV will not be kept for longer than necessary. However, on occasions there may be a need to keep images for longer, or the use of covert cameras for a short duration for example where a crime is being investigated. We operate CCTV and disclose to relevant agencies, such as the Police, in accordance with the codes of practice and safeguards issued by the Information Commissioner.

How long will we store your information?

We are required under UK law to keep your information and data for the full retention periods as specified by the NHS Records Management Code of Practice for Health and Social Care and national archives requirements. More information on records retention can be found online at <https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance/codes-of-practice-for-handling-information-in-health-and-care/records-management-code-of-practice-for-health-and-social-care-2016>

Why we collect information about ethnicity

Every NHS training provider organisation must collect information on the ethnic origins of its learners. You will be asked to select the group which best describes the ethnic group you belong to. We only use it to make sure our services meet the needs of all members of the community. You don't have to give us information about your ethnic origin if you do not want to.

How we use your information

We will use the information you provide in a manner that conforms to the General Data Protection Regulation and which is supported by the Data Protection Act 2018. We will endeavour to keep your information accurate and up to date and not keep it for longer than is necessary.

We will process your information for the following purposes:

- Staff teaching and assessing you have accurate and up to date information to help them decide the best possible training pathway and progression milestones for you
- We can contact you in relation to your current and future education and training needs
- Information is available should you need further support or guidance
- There is a good basis for looking back and assessing the type and quality of training and education you have received
- Your concerns can be properly investigated should you need to complain

How your information is used for other purposes

In addition to supporting the care you receive; your information may also be used to help us:

- Review the education service we provide to ensure it is of the highest standard
- Teach and train health care professionals
- Conduct audits to assess and improve the effectiveness of our services
- Investigate complaints, legal claims or untoward incidents
- Make sure our services can meet learner needs in the future



- Prepare statistics on NHS performance
- Ensure services meet the needs of local communities
- Monitor the way public money and Apprenticeship levy is spent.

If you do not want certain information recorded or shared with others, please talk to the person in charge of your learning. There are however some aspects of your education programme which we are obliged to record.

Is any information transferred outside the European Economic Area

We do not transfer any personal information to countries outside the EEA.

How we protect your information

We understand the personal and sensitive nature of your information. In addition to the General Data Protection Regulation (GDPR) and Data Protection Act 2018 (DPA18) everyone working for the NHS is subject to the Common Law Duty of Confidence. Staff are required to protect your information under the NHS Confidentiality Code of Conduct and must inform you how your information will be used and allow you to decide if and how your information can be shared.

We may use external companies to process personal information such as for archiving or destruction of data. These organisations will be bound by contractual agreement to ensure information is kept confidential and secure in compliance with the GDPR/DPA18.

Who else might see your information

You may be receiving education and development from other people as well as the NHS so we may be required to share your information with them for example with:

- Other healthcare professionals e.g., doctors, nurses, ambulance services
- Partner organisations who contribute to your learning e.g., social services, care homes, other NHS organisations
- Other services e.g., OFSTED, ESFA, External Verifiers, Awarding Bodies, complaints, auditing, research purposes etc. (anonymised/pseudonymised or your consent will be sought).

We may also need to share your information for other purposes for example with (please note this list is not exhaustive):

- Carers/guardians with parental responsibilities
- Carers/guardians without parental responsibility (subject to explicit consent, unless data is anonymous)
- Disclosure to NHS managers and the Department of Health for the purposes of planning, commissioning, managing and auditing healthcare services
- Disclosure to bodies with statutory investigative powers – e.g., the Care Quality Commission, the GMC, the Audit Commission, the Health Service Ombudsman
- Disclosure, where necessary and appropriate, to non-statutory investigations – e.g., Members of Parliament
- Disclosure, where necessary and appropriate, to government departments other than the Department of Health
- Disclosure to solicitors, to the police, to the courts (including a Coroner's court), and to tribunals and enquiries



- Disclosure to the media (the minimum necessary disclosure subject to explicit consent).

We may therefore need to share your information with these individuals to ensure the best possible service is provided. We will only ever pass information about you if they have a genuine need for it, on a need to know basis, if there is a court order, there is a statutory power to share data or we have your consent. We will not disclose your information to a third party unless there are exceptional circumstances, such as when the health and safety of others is at risk or if the law requires us to pass on such information.

Information sharing in the NHS

Information sharing can help to improve the quality of service, but it must be governed by the legal and ethical framework that protects the interests of service users. The Trust co-ordinates the sharing of information through the use of official Information Sharing Agreements to ensure that data is handled in accordance with the framework. This framework ensures that the responsibilities of the owner of the data (Controller) and the party processing the data (Processor) are set out, what will happen in the event of a confidentiality breach and who takes responsibility for this.

Learner control of information

You may want to prevent confidential information about you from being shared or used for any purpose other than providing your education. You have a right to opt-out of the NHS or other organisations using your information. If you wish to do this please contact the Trust via the contact details highlighted below:



Data Protection Officer (DPO)

Mr Saiful Choudhury

Contact DPO via direct line;

Freephone: 0116 2586053, Opening times are Monday to Friday 10am to 4pm (however if you email the service you will be contacted more promptly)

Email: infogov@uhl-tr.nhs.uk

Online: Contact form

Post: Patient Information and Liaison Service

The Firs

C/O Glenfield Hospital

Groby Road

Leicester

LE3 9QP

We do however need to remind you that we may not be able to provide you with a service or be able to undertake the appropriate education needed unless we have enough information about you, or your permission to use that information.

Your rights

Correcting inaccurate information

We have a duty to ensure your information is accurate and up to date to make certain we have the correct contact and details about you. If your information is not accurate and up-to-date, you can ask us to correct the record. If we agree that the information is inaccurate or incomplete, it will be corrected. If we do not agree that the information is inaccurate, we will ensure that a note is made in the record of the point you have drawn to the organisation's attention. If you wish to have any inaccurate information altered, please email apprenticeships@uhl-tr.nhs.uk

Accessing your information held by University Hospitals of Leicester NHS Foundation Trust

You have the right to see or be given a copy of personal data held about you. To gain access to your information you will need to make a Subject Access Request (SAR) to the Trust. Requests should be addressed to the Trust's Privacy Unit infogov@uhl-tr.nhs.uk and we will aim to respond to your request within one month from receipt of your request.

Freedom of Information Requests (FOI)

The Freedom of Information Act (2000) gives every Individual the right to request information held by the Trust. Your request for information must be made in writing and you are entitled to a response within 20 working days. For more details on submitting a Freedom of Information request please click

<http://www.leicestershospitals.nhs.uk/aboutus/freedom-of-information/>

Your Data Matters

Further information is available at www.nhs.uk/your-nhs-data-matters



Complaints

Although we work hard to offer high standards of service, things can sometimes go wrong. Should this happen, we will do all that we can to put things right for you and to make sure that the same thing does not happen again. If you would like to know more information on complaints or wish to make a complaint, please email apprenticeships@uhl-tr.nhs.uk for a copy of the Centre's complaint procedures.

Should you have any concerns about how your information is to be used having read this Privacy Notice, you wish to request the notice in another accessible format or if you do not wish your information to be shared by University Hospitals of Leicester NHS Foundation Trust then please contact the Trust here:

<http://www.leicestershospitals.nhs.uk/patients/patient-welfare/patient-information-and-liaison-service/> or email: pils@uhl-tr.nhs.uk

There may be circumstances where we are legally obliged to share your personal data with other third parties, for reasons such as safeguarding purposes or a court order. In such cases you will not be able to opt out of data sharing.

If you are not happy with our responses and have exhausted all the avenues in the University Hospitals of Leicester NHS Trust's process and wish to take your complaint to an independent body, you can do this by contacting the Information Commissioner's Office. Contact details can be found below.

Contact information and further advice

If you would like to know more about how we use your information, require information in any accessible format or language or if (for any reason) you do not wish to have your information used in any of the ways described, please contact:

<p><u>Data Protection Officer (DPO)</u> Mr Saiful Choudhury County Hall Glenfield Leicestershire LE3 8RA 0116 258 6053</p>	<p><u>Deputy Head of Privacy</u> Hannah Rose County Hall Glenfield Leicestershire LE3 8RA 0116 258 6053</p>
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For independent advice about data protection, privacy and data-sharing issues you can contact the **Information Commissioner:**

The Information Commissioner
 Wycliffe House
 Water Lane
 Wilmslow
 Cheshire
 SK9 5AF
 Telephone number 0845 306 060 or 01625 545 745
 Website: www.ico.org.uk



Education and Skills Funding Agency (ESFA) Privacy Notice: 24 April 2019

This Privacy Notice Covers

1. [How we use your personal information](#)
2. [How we collect your personal information](#)
3. [How we share your personal information](#)
4. [How long we will keep your personal information](#)
5. [Your data protection rights](#)
6. [Contacting us about your information](#)
7. [Further information on processing your information](#)

How we use your personal information

The ESFA is responsible for funding education and skills in England for children, young people and adults. It is also responsible for delivery of key services in the education and skills sector in England including the apprenticeship service, the provision of information, advice and guidance through the National Careers Service, and the Learning Records Service. We may use your personal information in our delivery of this work.

How we collect your personal information

We collect your personal information where the law allows it, or we have a legal obligation to do so. Your personal information is collected to enable us to carry out the functions of the Department for Education (DfE).

The lawful basis for collecting and using your personal information will depend on the service and will normally be:

- where we need to for the purposes of Department for Education functions
- where we have your consent to do so
- where we have a legal obligation

If we are processing your personal information using your consent, you can withdraw your consent at any time.

Personal information is provided directly by you:

- face to face
- over the telephone
- via websites or subscribe to our mailings
- in emails

We may collect personal information about you from other systems or organisations funded by ESFA and from organisations that introduce you to us; so that we can make contact with you.

How we share your personal information

We may share your personal information with other services run by the ESFA, other parts of the DfE, and partner organisations, where the law allows it or we have a legal obligation to do so:

- with a third party who is working for ESFA under contract
- with organisations for the purposes of:
 - administration
 - provision of career and other guidance
 - statistical and research purposes, relating to education, training, employment and well-being prevention or detection of crime

Other organisations include:

- Department for Work and Pensions
- Local and Combined Authorities in England



- Greater London Authority
- Higher Education Statistics Agency
- Office for Standards in Education
- Institute for Apprenticeships
- educational institutions and organisations performing research and statistical work on behalf of the Department for Education, or partners of those organisations

How long we will keep your personal information

We will only keep your personal information for as long as we need it after which it will be securely destroyed.

We may need to keep your personal information indefinitely for research and statistical purposes. We will put in place necessary measures to safeguard this information.

Your data protection rights

You have the right:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If we are processing your personal information using your consent, you can withdraw your consent at any time.

If you need to contact us regarding any of the above, please do so via [DfE](#).

Contacting us about your information

If you would like:

- more information about how we process your personal information or your data protection rights
- to make a request about your information – for example to request a copy of your information or to ask for your information to be changed
- to contact our Data Protection Officer

You can contact us using our secure [online contact form](#) or by writing to:

Ministerial and Public Communications Division
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

You also have the right to complain to the Information Commissioner's Office. Find out on their website how to [report a concern](#).



Further information on processing your information

Learner information

Personal information is collected by the ESFA in accordance with the terms and conditions of funding imposed on providers of learning, for example, further education colleges and private training organisations. Your personal information is processed by the DfE, and by those third party organisations when they process your information on behalf of the DfE, to enable the DfE to carry out its functions.

Learner information collected by the ESFA is known as the Individualised Learner Record (ILR). The specification and standards for the ILR are published for each academic year (1 August to 31 July) by the [ESFA](#). This specification provides more information about the use of your information.

Some learning is funded by other public authorities where it is necessary to share learner information with those organisations in order that they can carry out their functions, as follows:

- Department for Work and Pensions, for European Social Fund funding
- Mayoral Combined Authorities and the Greater London Authority, for devolved adult education budget funding

Learner contact information collected by the ESFA may be used for the purposes of research and surveys to enable the DfE to carry out its functions or, where learning is funded by the European Social Fund (ESF), for the Department for Work and Pensions to carry out its functions. This contact information will only be used for the purposes of other research and surveys with the consent of the learner.

Learner information is also collected and supplied to the Learning Records Service, a part of the ESFA. Your information is used by the ESFA to issue learners with a Unique Learner Number, and to create and maintain your Personal Learning Record. More information about this use of learner information is published by the [Learning Record Service](#).

Apprenticeships

As part of this service, individuals can apply for and be kept informed of apprenticeship opportunities. Your personal information is processed to match registered candidate requirements to vacancies for apprenticeships, including for those employers or providers offering a guaranteed interview scheme. Learning providers may act on behalf of employers to sift and shortlist candidates for interview that meet the criteria set by the employer. This service also enables the ESFA and organisations funded to deliver the National Careers Service, and the Department for Works and Pensions (including Job Centre Plus), and their employees or agents to search for apprenticeship vacancies and pass details to citizens and clients for the purpose of providing careers advice and guidance.

If you start an apprenticeship, your information is supplied to us by your employer to enable the DfE to carry out its functions. When you complete your apprenticeship, your information will also be shared with:

- an organisation appointed by your employer to assess the training that you receive
- an organisation under contract to the DfE to issue you with an apprenticeship certificate

This sharing is undertaken to enable the DfE and the Institute for Apprenticeships to carry out their functions.

National Careers Service

The ESFA encourages participation within further education and learning through the provision of career information and advice services. Data is collected to enable delivery of the services



requested. Some optional demographic information (for example, ethnicity, declared disability) is requested to enable the ESFA to monitor the performance of the service against equality and diversity objectives, and to ensure that the ESFA is targeting the service to meet priority audience groups.

Further details about the service are provided on the [National Careers Service website](#).

Bursary for Vulnerable Group Scheme

The Bursary for Vulnerable Group Scheme uses the information you give to decide if you are eligible for a bursary under the scheme eligibility criteria. The information collected by your educational institution will include your name and contact details and whether you are:

- a care leaver
- getting Income Support, or Universal Credit because you're financially supporting yourself or are financially supporting yourself and someone who is dependent on you and living with you, for example, your child or your partner
- getting Disability Living Allowance or Personal Independence Payments and Employment and Support Allowance or Universal Credit

To enable the delivery of this scheme your personal information may be shared with ESFA and the provider administering the scheme for the purposes of administration, as the law allows in order for the Department for Education to perform its function.

Sharing data

In order for the DfE to carry out its functions:

- the ESFA and training providers share data to ensure accuracy of information held in relation to the funding of learning - a training provider may need to share your information with another training provider in order to verify accuracy of information in relation to a claim for funding from the ESFA
- your personal information may be shared with another training provider for the purposes of your continued learning

In the event that a further education college or other training provider is unable to continue the delivery of training funded by the ESFA (for example, where a training provider is a limited company that is dissolved) the ESFA will endeavour to make arrangements for the secure transfer of information, including your personal data, from the former training provider to another training provider to support your continued learning. It may also request information from Awarding Organisations to establish at what stage your learning has reached according to their records.

https://www.gov.uk/government/publications/esfa-privacy-notice?utm_source=96b03454-f26d-4ab0-934d-0a9c4b258828&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate

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This publication is available at <https://www.gov.uk/government/publications/esfa-privacy-notice/education-and-skills-funding-agency-privacy-notice-may-2018>

The Education and Skills Funding Agency (ESFA) is an executive agency of the Department for Education (DfE). This privacy notice explains how we use your personal information. For the purposes of relevant data protection legislation, the [DfE is the data controller for personal information](#) processed.



Other Privacy Notices you need to be aware of linked to your learning are:

Individual Learner Record	https://www.gov.uk/government/publications/lrs-privacy-notices/lrs-privacy-notice
Learning Record Service	https://www.gov.uk/government/publications/ilr-specification-validation-rules-and-appendices-2019-to-2020
Pearson End Point Assessment	https://www.pearson.com/corporate/privacy-notice.html
Leicester College	https://leicestercollege.ac.uk/about/data-protection-2/website-privacy-notice/
De Montfort University	https://www.dmu.ac.uk/policies/data-protection/data-protection.aspx



ILR Specification 2020 to 2021 - Appendix F – Privacy Notice

Privacy Notice 2020 to 2021 (Version 1 - February 2020)

How We Use Your Personal Information

This privacy notice is issued by the Education and Skills Funding Agency (ESFA), on behalf of the Secretary of State for the Department of Education (DfE). It is to inform learners how their personal information will be used by the DfE, the ESFA (an executive agency of the DfE) and any successor bodies to these organisations.

For the purposes of relevant data protection legislation, the DfE is the data controller for personal data processed by the ESFA. Your personal information is used by the DfE to exercise its functions and to meet its statutory responsibilities, including under the Apprenticeships, Skills, Children and Learning Act 2009 and to create and maintain a unique learner number (ULN) and a personal learning record (PLR). Your information will be securely destroyed after it is no longer required for these purposes.

Your information may be used for education, training, employment and well-being related purposes, including for research. The DfE and the English European Social Fund (ESF) Managing Authority (or agents acting on their behalf) may contact you in order for them to carry out research and evaluation to inform the effectiveness of training.

Your information may also be shared with other third parties for the above purposes, but only where the law allows it and the sharing is in compliance with data protection legislation.

You can agree to be contacted by other third parties by ticking any of the following boxes:

- About courses or learning opportunities.
- For surveys and research.
- By post.
- By phone.
- By e-mail.

Further information about use of and access to your personal data, details of organisations with whom we regularly share data, information about how long we retain your data, and how to change your consent to being contacted, please visit:

<https://www.gov.uk/government/publications/esfa-privacy-notice>
https://guidance.submitlearnerdatabeta.fasst.org.uk/static/Appendix_F_Version_1_February_2020-321e99fea57b4be8b08d5ff14c4efeaf.pdf

Print Name		Date	
Signature			