

# **Privacy Notice**

## **OTC Consultancy**

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## General Data Protection Regulations (GDPR) – Overview

From 25<sup>th</sup> May 2018 the Data Protection Act (1998) will be replaced by the General Data Protection Regulations (GDPR).

The main reason for releasing this new Regulation is due to the significant advancements in technology over the last 20 years since the Data Protection Act came into force. The new law was required to reflect and address the current and foreseeable trends in technology and misuse of personal data by organisations.

The GDPR aims to provide individuals with more control over how organisations use their personal data.

# 1. What is personal data?

The GDPR defines personal data as: *“Any information relating to an identified or identifiable natural (living) person.”*

This means that if anyone can identify an individual using the information, it is considered personal data.

Everything from names, dates of births, addresses (the more obvious ones) etc. to such things as mobile phone numbers and even IP addresses.

There is also “special category data” such as ethnicity, religion and health. This data can only be collected upon meeting conditions such as; receiving explicit consent (self-declaration), protecting vital interests of the individual (i.e. health disclosures) or employment purposes. There are other conditions, such as for legal proceedings, but these are not applicable to OTC.

## 2. Data Controller

OTC is known as the Data Controller.

OTC’s Data Protection Representative for the purposes of general OTC business matters is Emma Topham, Quality Improvement Officer.

## 3. Why and how we collect your personal data

The legal basis in which OTC Consultancy Limited (as part of Oldham Engineering Group Training Association Ltd T/A OTC) processes your personal data is to deliver the service that has been requested by either your company or you, the individual.

OTC Consultancy Limited takes your privacy seriously and will only use your personal information (and company information) to administer your course bookings and reservations, to provide the services you have specifically requested from us such as Consultancy Services and OTC Membership, and to notify you, with your agreement, of future courses or services.

If during the course of provision of our services you provide personal information relating to another employee of your business, you will be asked to confirm that the person mentioned has given permission for their personal data to be shared with us. You will be responsible for ensuring that the person you have referred is aware of this privacy statement and how their data will be used.

OTC takes all reasonable steps to ensure that our staff protect your personal data and are aware of their information security obligations; access is limited to your personal data to those who have a genuine business need to know it.

In order to process your course bookings/reservations, the key initial information we collect from you is: delegate name, email address of booker (or course attendee), contact telephone and company or postal address and payment details. We may collect this information when you complete a form, send an email or telephone us.

In the case of Accredited Training Courses (examinations and assessments leading to the achievement of formally recognised qualifications), we are required (by the respective Awarding Organisation) to collect further information from you. An Awarding Organisation issuing formal qualifications requires this information in order to meet their statutory requirements as regulated

and approved by Ofqual. This further information is collected on paper-based forms and includes (but not limited to); [the delegates] signature, home address, national insurance number, date of birth, passport/driving license number, copies of the delegates previous RTITB/CCNSG card or certificate (where applicable), ethnicity, medical declaration and photograph. When attending a training course / programme leading to the issue of a formally recognized qualification, you may be asked to provide photographic evidence for authenticity purposes.

Information is collected by OTC's Customer Service Staff at the time you make your course booking; this could be via email or initial telephone call. At the time of making your course booking, you will be asked to complete a course booking form. The data you provide on the course booking form is then transferred to OTC's secure systems for the purposes of processing the booking, facilitating the required payment/s and the issue of any certificates where applicable.

For administrative and marketing purposes, contact information is stored on a database only accessible by OTC internal staff who have responsibilities for customer service and processing course bookings. We will record that you have given consent for your information to be stored.

From time to time we would like to contact you with information about future course offers (including the OTC's quarterly newsletter) and services we provide. We will seek your consent to do this on an on-going basis and will record that you have given consent to receive emails (or ebulletins or phone calls) which tell you about forthcoming courses and services. Where you have given consent to receive marketing communications, we may use your data to contact you re courses, new qualifications, specific awards or promotions, newsletters and quality surveys; all related to the specific services we provide which may be of interest to you.

## **4. Sharing and transfer of personal data**

OTC do not transfer or share your personal data outside of the EU.

The data provided for course bookings will only be shared with third parties for the purposes of processing of payments or issue of credit notes; course delivery staff and partners and an Awarding Organisation (in the cases of courses leading to accredited qualifications). The data may also need to be shared during any Awarding Organisation inspection or audit (conducted at OTC Offices) and this is to ensure the quality of delivery to the external qualification standards. We may also share your personal data if required by law, including responding to requests by government or law enforcement authorities, or for the prevention of crime or fraud.

If you have purchased a Health and Safety Consultancy package with us, then your contact information will be shared with our professional adviser/s in order that the service you have requested can be delivered within the agreed timescales.

If you agree we may share your information with Oldham Engineering Group Training Association Limited (trading as OTC) where it links to the provision of apprenticeship training and delivery.

OTC will not share your information for marketing purposes with any organisations outside our group of companies.

### **How does the company protect data?**

OTC takes the security of your data seriously. The company has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties.

When you submit your credit card details, we use industry standard secure sockets layer (ssl) encryption technology to protect your information however; we cannot guarantee that any data transmission over the internet is completely secure.

Where OTC engages third parties to process personal data on its behalf (for example, when requesting or processing qualification certificates), they do so on the basis of instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data. OTC will ensure there is a contract in place with the categories of recipients listed above which include obligations in relation to the confidentiality, security, and lawful processing of any personal data shared with them.

## 5. Your rights explained

Under GDPR you have the following rights when it comes to your data which are;

- **The right to be informed** – how OTC uses your personal data (covered within this document);
- **The right to rectification** – if you believe the data we hold is inaccurate (for example change of phone number, address or email) you have the right to request this is rectified.
- **The right of access** – you may complete a Subject Access Request form if you would like a copy of any personal data we hold on you i.e to check for accuracy;
- **The right to data portability** – in certain circumstances, you have the right to request that some of your personal data is provided to you, or to another data controller, in a commonly used, machine-readable format;
- **The right to object** – to direct marketing, processing data for research or statistical purposes and processing based on legitimate or public interests;
- **The right to erasure** (*to be forgotten*) – where there is a problem with the underlying legality of the processing or where the data is no longer necessary for the purposes of processing; and
- **The right to restrictions** - if we are unable to erase your data we may sometimes be able to 'restrict' the use of your data. This means that it can only be used for legal or regulatory reasons, but not for other reasons while it is restricted.

Please note that the GDPR sets out exceptions to these rights such as legal or other regulatory reasons why we need to keep or use your data. If we are unable to comply with your request due to an exception we will explain this to you in our response.

Under the right to object, you have the right not to be contacted regarding OTC commercial courses/services. If you do not wish to be contacted please email: [gdpr@otctraining.co.uk](mailto:gdpr@otctraining.co.uk) with your request. We will maintain a suppression list of people who no longer wish to receive emails concerning courses and services as this will help us to maintain the accuracy of our customer database.

## 6. What happens if you do not provide your information

For persons attending qualification courses, there are obligations to provide data without which we are unable to

- Accept your course booking
- Process the request for your qualification certificate

An Awarding Organisation issuing formal qualifications requires this information (listed in section 3) in order to meet their statutory requirements as regulated and approved by Ofqual. Without this information, the Awarding Organisation would be unable to deliver the training and assessment to you.

For OTC Membership or Health and Safety Consultancy, there are obligations to provide data without which we are unable to

- Provide membership or consultancy services

## 7. Retention Policy

Any personal data we collect is stored securely until a time it is no longer required or has no use.

OTC will retain your personal data for the duration of the service we are providing to you and for a period of six years following its termination or expiry, to ensure we are able to comply with any contractual, legal, audit and other regulatory requirements, or any orders from competent courts or authorities.

Internal hard-copy records completed and/or received by us will be retained for the financial year (August – July) of the course being delivered plus an additional twelve months. E.g. records relating to courses delivered during financial year 2017/18 will be maintained securely until 01.08.2019. Digital and electronic records (scanned copies of internal records, certificate, confirmation letters etc.) will be retained for a period of six years to assist us to address any financial or qualification/certification queries.

Once the retention periods specified above have elapsed, the information will be destroyed / deleted securely.

If the customer or other specifications (including legal requirements) indicate or require a longer period of retention, then these will over-ride the six year storage requirement.

## 8. Complaints

Any complaint should, in the first instance, be raised in writing to Kath Soliman, CEO.

If you are not satisfied with the outcome of the investigation, you believe the complaint is more serious, or if you believe OTC has not complied with your data protection rights, you can complain to the Information Commissioner's Office (ICO) at <https://ico.org.uk/>

## 9. Contact Us

If you would like clarity on any point within this document, wish to know the personal or sensitive data OTC holds on you or any other queries relating to data protection, please contact the Data Protection Representative: Emma Topham ([etopham@otctraining.co.uk](mailto:etopham@otctraining.co.uk))

If you have a query relating to the services provided by OTC Consultancy, please contact the Customer Service Advisor: Natalie Howard ([nhoward@otctraining.co.uk](mailto:nhoward@otctraining.co.uk))

You may update your contact preferences or opt-out of communications at any time by emailing: [gdpr@otctraining.co.uk](mailto:gdpr@otctraining.co.uk)