Data Protection Policy and Procedure

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Communication Strategy	All staff, learners, employers and wider stakeholders

Version Control

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Contents

General Data Protection Regulation Statement

Acorn Training is committed to compliance with the requirements of the General Data Protection Regulations 2018.

Acorn Training will therefore follow procedures which aim to ensure that all employees, elected members, contractors, agents, consultants, partners, or other servants of the company who have access to any personal data held by or on behalf of the company, are fully aware of and abide by their duties under the General Data Protection Regulation 2018.

Statement of Policy

In order to operate efficiently, Acorn Training has to collect and use information about people with whom it works. These may include members of the public, current, past and prospective employees, clients and customers, and suppliers. In addition, it may be required by law to collect and use information in order to comply with other statutory acts or funding body requirements.

This personal information must be handled and dealt with properly, however it is collected, recorded and used, and whether it be on paper, in computer records or recorded by any other means, and there are safeguards within the Regulation to ensure this.

Acorn Training regards the lawful and correct treatment of personal information as very important to its successful operations and to maintaining confidence between the company and those with whom it carries out business. The company will ensure that it treats personal information lawfully and correctly.

To this end Acorn Training fully endorses and adheres to the principles of The General Data Protection Regulation 2018.

GARETH FALLOWS

CHIEF EXECUTIVE OFFICER

1. Purpose

1.1 As a Data Controller, Acorn Training is committed to ensuring the privacy and protection of personal data in compliance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. This Data Protection Policy and Procedure outlines our commitment to data protection and sets out the procedures to be followed by all employees, contractors, and third parties who handle personal data on behalf of Acorn Training.

1.2 Acorn Training has appointed the Head of MIS and Compliance as its Data Protection Officer (DPO). Their role is to inform and advise the organisation on its data protection obligations. The DPO can be contacted at DPO@acorntraining.co.uk . Questions about this policy, or requests for further information, should be directed to the Data Protection Officer in the first instance.

2. Scope

2.1 This policy applies to all personal data processed by Acorn Training during its business activities. It applies to job applicants, employees, former employees, contractors, partners, volunteers, apprentices, learners, and employers. The policy also applies to third parties who handle personal data on behalf of Acorn Training.

3. Introduction

3.1 The aims of the policy include:

- Explaining the responsibilities of staff under the General Data Protection Regulation and Data Protection Act (the UK's implementation of the GDPR).
- Explaining the rights of individuals as data subjects.
- Explaining how data breaches are managed.
- Providing information on the retention of data.

3.2 Acorn Training is required to keep certain information about its employees, learners and other users to allow it to monitor performance, achievements, and health and safety, for example. It is also necessary to process information so that staff can be recruited and paid, courses organised and legal obligations to funding bodies and government complied with.

3.3 To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully. To do this, Acorn Training complies with the data protection principles set out in the General Data Protection Regulation (often known as GDPR).

3.4 Acorn Training and all staff, or others who process or use any personal information, must ensure that they follow these principles at all times.

4. Key Principles

4.1 *Lawfulness, Fairness, and Transparency*
Acorn Training will process personal data lawfully, fairly, and in a transparent manner. Individuals will be informed about the collection, use, and processing of their personal data.

4.2 *Purpose Limitation*
Personal data will only be collected for specified, explicit, and legitimate purposes and will not be further processed in a manner incompatible with those purposes.

4.3 *Data Minimisation*
Acorn Training will ensure that personal data is adequate, relevant, and limited to what is necessary for the purposes for which it is processed.

4.4 *Accuracy*
Personal data will be accurate, and reasonable steps will be taken to ensure that any inaccurate personal data is rectified or erased without delay.

4.5 *Storage Limitation*
Personal data will be kept in a form that permits identification of individuals for no longer than is necessary for the purposes for which the personal data is processed.

4.6 *Security*
Appropriate technical and organisational measures will be implemented to ensure the security of personal data, including protection against unauthorised or unlawful processing and accidental loss, destruction, or damage.

4.7 *Accountability*
Acorn Training is responsible for demonstrating compliance with the principles of data protection and will maintain records of all data processing activities.

5. Roles and Responsibilities

5.1 *Data Protection Officer (DPO)*
Acorn Training has designated the Head of MIS and Compliance as its Data Protection Officer (DPO). The DPO is responsible for overseeing the implementation of this policy and ensuring compliance with data protection laws and regulations. The DPO will also act as a point of contact for data subjects and supervisory authorities.

5.2 *Contractors, Partners, and Third Parties*
All employees, contractors, and third parties who handle personal data on behalf of Acorn Training are responsible for understanding and complying with this policy. They should familiarise themselves with data protection principles and their obligations under GDPR and the Data Protection Act 2018.

5.3 ***Individual Responsibilities***

Individuals are responsible for helping Acorn Training keep their personal data up to date. Individuals should let Acorn Training know if data provided changes. For example, if a staff member moves house or changes his/her bank details, their SageHR account should be updated or if a learner/apprentice changes their email or telephone contact details then these must be updated in the relevant Management Information System.

Individuals may have access to the personal data of other individuals such as learners. Where this is the case, Acorn Training relies on individuals to help meet its data protection obligations to staff and learners. Individuals who have access to personal data are required to:

- Access only data that they have authority to access and only for authorised purposes.
- Not disclose data except to individuals (whether inside or outside the organisation) who have appropriate authorisation.
- Keep data secure (for example by complying with rules on access to premises, computer access, including password protection, and secure file storage and destruction)
- Not remove personal data, or devices containing or that can be used to access personal data, from Acorn Training premises without adopting appropriate security measures (such as encryption or password protection) to secure the data and the device.
- Not store personal data on local drives or on personal devices that are used for work purposes.
- Report data breaches of which they become aware to the Data Protection Officer immediately.

Failure to observe these requirements may amount to a disciplinary offence, which will be dealt with under Acorn Training's disciplinary procedure. Significant or deliberate breaches of this policy, such as accessing employee or learner data without authorisation or a legitimate reason to do so, may constitute gross misconduct and could lead to dismissal without notice.

6. Data Collection and Processing

6.1 Whenever possible, Acorn Training will obtain explicit and informed consent from individuals before collecting or processing their personal data. Consent may be obtained through written or electronic means and should be freely given, specific, informed, and unambiguous.

6.2 Data subjects will be provided with clear and concise information regarding the collection, use, and processing of their personal data through privacy notices. Privacy notices will be easily accessible and available at the point of data collection.

7. Data Sharing, Transfer and Retention

7.1 Personal data will only be shared or transferred to third parties in accordance with applicable data protection laws and regulations. Appropriate safeguards, such as data processing agreements or adequacy decisions, will be implemented when sharing personal data with third parties. Acorn Training will not transfer personal data to countries outside the European Economic Area (EEA).

7.2 Personal data will be retained for no longer than necessary for the purposes for which it was collected, or as required by law. Once the retention period expires, personal data will be securely and permanently deleted or anonymised.

8. Data Subject Rights

8.1 Acorn Training recognises and respects the rights of data subjects, including the right to access, rectify, erase, restrict processing, data portability, and objection to the processing of their personal data. Requests from data subjects to exercise their rights will be promptly and thoroughly addressed by the DPO.

8.2 Individuals have the right to make a subject access request. A standard administration fee of £35.00 is payable on all Subject Access Requests processed. If an individual makes a subject access request, Acorn Training's DPO will inform them:

- Whether or not their data is processed and if so, why, the categories of personal data concerned and the source of the data if it is not collected directly from the individual.
- To whom their data is or may be disclosed, including to third party recipients and the safeguards that apply to such transfers.
- For how long their personal data is stored.
- Their rights to rectification or erasure of data, or to restrict or object to processing.
- Their right to complain to the Information Commissioner if they think Acorn Training has failed to comply with their data protection rights.
- Whether or not Acorn Training carries out automated decision making and the logic involved in any such decision-making.

8.3 Acorn Training will also provide the individual with a copy of the personal data undergoing processing. This will normally be in electronic form if the individual has made a request electronically, unless they agree otherwise.

8.4 To make a subject access request, the individual should send the request to DPO@acorntraining.co.uk using the form at ***appendix 1***. In some cases, Acorn Training may need to ask for proof of identification before the request can be processed. The organisation will inform the individual if it needs to verify his/her identity and the document it requires.

8.5 The procedure to be followed following a subject access request is illustrated on the flowchart at ***appendix 2***.

8.6 Acorn Training's DPO will normally respond to a request within a period of one month from the date it is received. In some cases, such as where large amounts of the individual's data is processed, it may respond within three months of the date the request is received.

8.7 Acorn Training's DPO will write to the individual within one month of receiving the original request to tell them if this is the case.

8.8 If a subject access request is manifestly unfounded or excessive, Acorn Training is not obliged to comply with it. Alternatively, Acorn Training can agree to respond but will charge an additional fee which will be based on the administrative cost of responding to the specific request. A subject access request is likely to be manifestly unfounded or excessive where it repeats a request to which the organisation has already responded. If an individual submits a request that is unfounded or excessive, the organisation will notify them that this is the case and whether it will respond to it.

8.9 Individuals have several other rights in relation to their personal data. They can require Acorn Training to:

- Rectify inaccurate data.
- Stop processing or erase data that is no longer necessary for the purposes of processing.
- Stop processing or erase data if the individual's interest override Acorn Training's legitimate grounds for processing data (where Acorn Training relies on its legitimate interests as a reason for processing data).
- Stop processing or erase data if processing is unlawful.
- Stop processing data for a period if data is inaccurate or if there is a dispute about whether or not the individual's interests override Acorn Training's legitimate grounds for processing data.

8.10 To ask Acorn Training to take any of these steps, the individual should send the request to DPO@acorntraining.co.uk

9. Data Security

9.1 Acorn Training will implement appropriate technical and organisational measures to ensure the security of personal data. This includes measures to prevent unauthorised access, loss, destruction, misuse, disclosure, or alteration of personal data. All employees, contractors, and third parties must comply with Acorn Training's information security and information rights policies and procedures.

9.2 Where Acorn Training engages third parties to process personal data on its behalf, such parties do so based on written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and

organisational measures to ensure the security of data and information processed.

10. Data Breach Reporting

10.1 If Acorn Training discovers that there has been a breach of personal data that poses a risk to the rights and freedoms of individuals, it will report it to the Information Commissioner within 72 hours of discovery.

10.2 Acorn Training will record all data breaches regardless of their effect via its Non-conformance reporting procedures.

10.3 Any suspected or actual data breaches must be reported immediately to the DPO using the Non-conformance reporting procedure.

10.4 If the breach is likely to result in a high risk to the rights and freedoms of individuals, the DPO will inform affected individuals that there has been a breach and provide them with information about its likely consequences and the mitigation measures it taken.

11. Training and Development

11.1 Acorn Training will provide data protection training and awareness programmes to employees as part of their induction, and to contractors, and third parties who handle personal data. Training will cover the principles of data protection, their obligations, and how to handle personal data securely and will be refreshed annually,

12. Monitoring and Review

12.1 Acorn Training will regularly monitor, assess, and review its data protection policies, procedures, and practices to ensure ongoing compliance with data protection laws and regulations. Any necessary updates or revisions will be made promptly.

13. Conclusion and Acknowledgement

13.1 Compliance with the General Data Protection Regulation is the responsibility of all members of Acorn Training. Any deliberate breach of the Data Protection Policy may lead to disciplinary action being taken, access to Acorn Training facilities being withdrawn, or even a criminal prosecution.

13.2 All employees, contractors, and third parties will be required to acknowledge and adhere to this Data Protection Policy.

13.3 Any question or concerns about the interpretation or operation of this policy should be discussed in the first instance with line managers, who can call on the DPO for clarification as required.

Appendix 1

SUBJECT ACCESS REQUEST FORM

Full Name	
Contact Tel. No.	
Email	
Address	
Employee/Learner No.	
By completing this form, you are making a request under the Data Protection Regulation for information held about you by Acorn Training that you are eligible to receive.	
Information Requested (Please provide a full description of the data/information requested including any relevant dates)	
By signing below, you indicate that you are the individual named above. Acorn Training cannot accept requests regarding your personal data from anyone else, including family members. We may need to contact you for further identifying information before responding to your request. You warrant that you are the individual named and will fully indemnify us for all losses, costs, and expenses if you are not.	
Signature	
Date	

Please return this form to DPO@acorntraining.co.uk and allow 28 days for a reply.

Appendix 2

SUBJECT ACCESS REQUEST PROCEDURE