

**ITC First**

**P22**  
**Data Protection and Privacy Policy [1.2]**

**December 2022**

## ITC First

Trading name for  
ITC First Aid Ltd  
Registered in England  
Company Number 5750596  
VAT Number 928 7798 51

### Postal Address

ITC First  
Tranquility House  
Harbour Walk  
Hartlepool  
TS24 0UX

**Telephone**            0345 370 7610 (local rate from anywhere in UK)

### Ask for

ITC Chief Executive Officer for all queries regarding ITC operations.

**E-mail**                    [mail@itcfirst.org.uk](mailto:mail@itcfirst.org.uk)

**Website**                   [www.itcfirst.org.uk](http://www.itcfirst.org.uk)

### Website Access

For all policy statements and downloadable documents,

Upload to:

Ofqual Portal	SQA Accreditation Share Point	ITC WebOffice Support Resources	ITC Public Website	ITC Server
x	√	√	√	√

## 1. Overview

1.1 The goal of the data protection policy is to depict the legal data protection aspects in one summarising document. It can also be used as the basis for statutory data protection inspections, e.g. by the customer within the scope of [commissioned processing](#). This is not only to ensure compliance with the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018 but also to provide proof of compliance.

1.2 The General Data Protection Regulation (GDPR) is a regulation, which requires any business that processes data belonging to the UK to protect it and not misuse it. As a responsible awarding organisation/body, ITC First aims to robustly implement the requirements of the GDPR. Part of meeting the obligation of meeting the obligations of GDPR is the production and implementation of this policy.

## 2. Responsibilities

2.1 ITC First is responsible for determining what personal data is stored and how it is used therefore ITC First is a Data Controller, in relation to the GDPR.

2.2 ITC Responsible Officer for Data Protection - Mark Moore, Chief Executive Officer - ITC First, Tranquility House, Harbour Walk, Hartlepool, TS24 0UX.

## 3. Purposes – Why does ITC First collect individuals Data?

3.1 ITC collects and processes individual data in order to attribute learner's achievement to qualifications. Learners must supply their data to allow qualification credit to be awarded and a commemorative certificate to be produced, to receive reminders of when time-limited license to practice qualifications expire and to receive important updates or news associated with their qualifications. Without individuals data ITC First is unable to award qualifications and therefore produce qualification certificates as ITC First would be unable to attribute a learner's evidence to the learner.

3.2 The legal basis for collecting and processing data falls under the *Legitimate Interests*, heading of the GDPR.

3.3 Where ITC First intends to gather or use data outwith the scope of *legitimate interests*, ITC First and the GDPR require that individual consent must be explicitly gained.

ITC First will seek individual consent in the following circumstances:

- Opting in to marketing communications

Individuals have the right to remove their consent at any time following its explicit permission. Consent can be revoked by following unsubscribe links on marketing emails and by making a subject access request, completing the Data Request Form (DRF) and following the process described in Appendix 2.

## 4. Types of data collected and processed

4.1 ITC regularly collects the following personal data (First Name, Surname, Email, Telephone, Mobile, Address, Town, County, Postcode, Country, Date of birth), which allow learners to be awarded credit associated with qualifications.

4.2 ITC also collects special category (sensitive data) e.g. Gender, National Identity, Ethnic Group, Special needs, which we are required to monitor and regularly report on, as we are obliged to by our external qualification regulators (Ofqual and SQA Accreditation). The provision of the aforementioned data by learners is not mandatory.

## **5. Data Storage**

5.1 ITC data is stored electronically on password protected, encrypted databases (web based and office based) and where provided data in paper form it is stored in the ITC Office. Archive data is stored securely, off site.

5.2 ITC First securely stores individual learners data for 5 years from the date of awarding (certificate date). Following the 5 year period all physical records are securely destroyed and all electronic records are anonymised/pseudonymised.

## **6. Data processing and usage**

6.1 When individuals provide their data to ITC First, the data is used to:

- a) Attribute qualification credit to learners
- b) Produce commemorative certificates
- c) Produce CPD certificates
- d) Receive information pertinent to qualifications
- e) Enable ITC to contact you at your request (depending on when your data is provided and in which specific context or interaction with ITC First)
- f) Monitor ITC First qualifications to ensure equality and inclusivity

6.2 ITC First only uses data for the legitimate purposes described above. Any changes to the ways in which ITC First uses individual's data will be communicated to those individuals affected.

6.3 ITC First qualifications are delivered by approved third party organisations (later referred to as 'Centres'), which include Colleges, universities, private training companies, charitable organisations and other organisations.

6.4 All ITC Centres have their own comprehensive set of policies and procedures in place to protect learners and the integrity of the qualifications being offered. This includes a data protection policy.

6.5 Centres may act on behalf of ITC First, by gathering and submitting learner data securely via the ITC website and/or registered post. Centres sign a legally binding Centre Agreement, which confirms that the Centre agrees to publish and implement a Data Protection Policy, act on direction from ITC First, respond to any action plan provided by ITC First and abide by any sanction applied by ITC First.

## **7. The rights of the individual**

7.1 Under the GDPR individuals have rights associated with their data, described below:

- a) The right to be informed
- b) The right of access
- c) The right to rectification
- d) The right to erasure
- e) The right to restrict processing
- f) The right to data portability
- g) The right to object
- h) Rights in relation to automated decision making and profiling

## **8. Children's Personal Data**

8.1 For the benefit of this policy a child is classed as a young person under the age of 16. Children must have parental (or an individual in loco-parentis) consent for ITC First to collect and process their data. ITC will maintain evidence of consent using our learner registration process.

## 9. Subject Access Requests

9.1 All subject access requests in relation to individual rights above must be made using form DRF (annex ii) and sent either electronically to [mail@itcfirst.org.uk](mailto:mail@itcfirst.org.uk) or by post to ITC First, Tranquility House, Harbour Walk, Hartlepool, TS24 0UX.

9.2 ITC will acknowledge all subject access requests within 2 working days and will process and respond to all subject access requests within 1 calendar month of receiving suitable Identification, as per ITC First's obligations under the GDPR.

9.3 To prevent unscrupulous or fraudulent subject access requests ITC require all access requests to be made using form DRF that requires the individual to authenticate their request. Subject access requests will only be fulfilled when the individual has provided suitable identification (photographic e.g. passport, driving license or other suitable ID). All requests will be securely stored for 5 years unless the request for erasure is requested.

## 10. Data Breaches

10.1 ITC have systems and controls in place to prevent data breaches, however in such an event where individuals data has been lost, stolen or has been accessed by unauthorised parties ITC will notify the Information Commissioners Office (ICO) within 72hrs of the breach.

10.2 The following individuals are the points of contact when a data breach has been identified:

- a) Data Breach Response Coordinator – Mark Moore
- b) Data Breach Response Assistant – Julie Myers

10.3 ITC First's data breach process is described below:

- a) Serious data breach identified and Data Breach Response Coordinator (or in their absence the Data Breach Response Assistant) is informed.
- b) The type of event is identified as lost, stolen or subject to unauthorized access.
- c) Coordinator calls emergency/extraordinary Policy Committee Meeting
- d) The event is recorded in PCAP Data Protection Tab.
- e) The coordinator informs the Information Commissioners Office (ICO).
- f) The coordinator instigates an investigation, identifies the source of the breach and puts in places measures to reduce risk and impact.
- g) The coordinator informs all individuals concerned
- h) ITC First monitor for further breaches

## 11. Making a complaint

11.1 If individuals are dissatisfied with ITC First's Data Protection and Privacy Policy or its implementation please see ITC First Complaints Policy (P16).

## 12. ITC Privacy Notice for Learners

12.1 Notice

- a) ITC First collect and process your ([Delete as appropriate to situation](#)) Name, Date of Birth, Address, Email Address, Telephone Number, Ethnicity, National Identity, Signature data in order to produce qualification certificates and monitor the data to ensure we meet our equality and diversity and access to learning obligations.
- b) Failure to provide your data can result in your qualification certificate not being issued.
- c) Your data may be passed, securely on to the UK Government who will utilise it for statistical purposes.
- d) Your personal data will only be accessible to ITC First, the course provider and legitimate professionals (need-to-know basis) and will not be passed to any other external third party.
- e) Your data will be held for 5 years from the date of your certificate after which point it is destroyed or anonymised.

- f) Individuals have rights associated with personal data which can be found on the [ICO website](#).
- g) You may withdraw your consent for ITC First to securely store your data at any time within the 5 year period.

12.2 ITC also produces a general privacy policy available on the ITC First public website. Please see Appendix 1 for further detail.

## Appendix 1

### ITC First Privacy Notice

ITC First is committed to the fair and transparent processing of personal data and data security. This privacy policy sets out how we will manage the personal data, which you provide to us in compliance with the General Data Protection Regulation (EU) 2016/679 (**GDPR**).

This policy contains important information about who we are, how and why we collect, store, use and share personal data and your rights in relation to your personal data.

**ITC First** is the trading name of ITC First Aid Ltd (company number - 05750596). Our address is Tranquility House, Harbour Walk, Hartlepool, TS24 0UX.

For the purposes of the GDPR, ITC First is the 'controller' of the personal data you provide to us.

If you have any queries about this Policy, the way in which ITC First processes personal data, or about exercising any of your rights, please send an email to [mail@itcfirst.org.uk](mailto:mail@itcfirst.org.uk) or write to CEO, ITC First, Tranquility House, Harbour Walk, Hartlepool, TS24 0UX.

ITC First owns and operates [www.itcfirst.org.uk](http://www.itcfirst.org.uk). This Policy, together with our Website terms of use and any other documents referred to in them, sets out the basis on which ITC First processes personal data.

### Personal data we collect

We may collect and process the following personal data:

**Information provided to us**, When you:

- Complete a form on our Website
- Contact us by phone, e-mail, or in writing
- Report a problem
- Create a member account with us e.g. Becoming an ITC Centre

We may collect your name, e-mail address, postal address and telephone number.

### Information we collect about you

If you visit our Website, [www.itcfirst.org.uk](http://www.itcfirst.org.uk), we may automatically collect the following information:

- Technical information, including the internet protocol (IP) address used to connect your computer to the Internet, login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform;
- Information about your visit to our Website such as the products and/or services you searched for and view, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to browse away from the page.

### Information we receive from other sources

If you are a tutor, assessor, or learner, we may also receive information about you from your centre, training provider, or employer when they register to receive products and/or services from us.

### Information about other individuals

If you provide information to us about any person other than yourself, such as employees or your suppliers, you must ensure that they have given their permission for you to disclose it to us, they understand how their information will be used, and for you to allow us to use it.

### **Sensitive personal data**

In certain limited cases, we may collect certain sensitive personal data from you (e.g. information about your racial or ethnic origin and physical or mental health). We will only do this on the basis of your consent.

### **How ITC First uses your personal data**

#### **Legitimate interests**

Where this is necessary for purposes, which are in our, or our Centres legitimate interests. These interests are:

- Providing you with newsletters, surveys, information about our qualifications and events related to products and services offered by ITC First which may be of interest to you
- Communicating with you in relation to any problems, complaints, or disputes
- Improving the quality of experience when you interact with us and our products and/or services

**NOTE:** All individuals have the right to object to the processing of your personal data on the basis of legitimate interests as set out below, under the heading Your rights.

#### **Contract performance**

We may use your personal data to fulfil a contract, or take steps linked to a contract:

- To provide the products and/or services to you i.e. qualifications
- To communicate with you in relation to the provision of the contracted products and services
- To provide you with admin support such as account creation, security, and responding to issues
- Provide you with industry or sector information, surveys, information about our qualifications and events, related to the products and/or services.

#### **Consent**

Where you have given your express consent to receive marketing communications, we may use your personal data to send you newsletters, surveys, information about our awards and events related to products and services offered by ITC First which may be of interest to you,

**Where required by law:** We may also process your personal data if required to by law, including responding to requests by government or law enforcement authorities, or for the prevention of crime or fraud.

#### **Who do we share your personal data with?**

We take all practical steps to ensure that ITC First staff protects your personal data and that they are aware of their information security obligations. Access to your personal data is limited to those who have a genuine operational need to know it.

We may also share your personal data with legitimate professionals outwith ITC First including:

- Legal and other professional advisers, consultants, and professional experts
- Service providers contracted to us in connection with provision of the products and services such as providers of IT services, Website services
- Law enforcement or other authorities if required by law.

#### **How long does ITC First keep your personal data?**

Where there is an agreement between us, we will retain your personal data for the duration of the agreement, and for a period of five years following its termination or expiry, to ensure we are able to comply with any legal, audit and other regulatory requirements, or any orders from courts or competent authorities.

Where you given consent to marketing communications, you can change your preferences or unsubscribe at any time by clicking the unsubscribe link in an email from us.

### Where we store your personal data and how we protect it

We take appropriate steps to protect your personal data from loss or destruction. We also have a procedure in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

Where you have a username or password (or other identification information), which enables you to access ITC First services or parts of our Website and/or Web Office, you are responsible for keeping this password confidential. Please do not to share a password with anyone, including ITC First.

Unfortunately, the transmission of information via the Internet is not completely secure. However we will always strive to protect your personal data. We cannot guarantee the security of your personal data transmitted to our Website; any transmission is at the your own risk. Once we have received your personal data, we will use strict procedures and security features to prevent unauthorised access.

### Your rights

Under the GDPR, you have rights with respect to our use of your personal data:

The Right to:	
<b>Access</b>	You have the right to request a copy of the personal data that we hold about you by contacting us at the email or postal address given below. All requests must be accompanied by information, which allows us to verify your identity (ID). We will respond to your request within one calendar month. Please note that there are exceptions to this right. We may be unable to make all information available to you if, for example, making the information available to you would reveal personal data about another person, if we are legally prevented from disclosing information, or if your request is excessive.
<b>Rectification</b>	We strive to keep your personal data accurate and complete. Please contact us using the contact details provided to let us know if any of your personal data is not accurate or changes, so that we can keep your personal data up-to-date.
<b>Erasure</b>	You have the right to request the deletion of your personal data. Instances of erasure may include, personal data no longer necessary for the purposes for which they were collected, where your consent to processing is withdrawn, where there is no legitimate interest for us to continue to process your personal data, or your personal data has been processed unlawfully.
<b>Object</b>	In certain circumstances, you have the right to object to the processing of your personal data where, for example, your personal data is being processed on the basis of legitimate interests and there is no overriding legitimate interest for us to continue to process your personal data. If you would like to object to the processing of your personal data, please contact us using the contact details provided below.
<b>Restrict processing</b>	In certain circumstances, you have the right to request that we restrict the processing of your personal data. This right arises where, for example, you have objected to processing based on legitimate interests and we are considering whether there are any overriding legitimate interests, or the processing is unlawful and you elect that processing is restricted rather than deleted.
<b>Data portability</b>	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 (electronic) format.

For any request associated with the rights described above, please contact ITC using the details below.

**NOTE: GDPR sets out exceptions to these rights. If we are unable to comply with your request due to an exception we will explain this to you in our response.**

### **Contact us**

If you have any queries about this Policy, the way in which ITC First processes personal data, or about exercising any of your rights, please send an email to [mail@itcfirst.org.uk](mailto:mail@itcfirst.org.uk) or write to CEO, ITC First, Tranquility House, Harbour Walk, Hartlepool, TS24 0UX.

### **Complaints**

If you believe that your data protection rights may have been breached, please first contact ITC First using the details above, however if we have been unable to resolve your concern, you may submit a complaint to the Information Commissioners Office. Please visit <https://ico.org.uk/concerns/> for more information.

### **Associated Documents**

- P22 Data Protection Policy
- DRF Data Request Form
- P16 Complaints Policy

### **Changes to Policy**

Any changes we may make to our Policy in the future will be posted on this page and, where appropriate, any individuals concerned will be notified by e-mail.

## Appendix 2

Please print clearly or electronically as unclear/illegible applications may be returned to the applicant. Please complete all requested details below:

### Section 1

	Request	✓
a.	Please provide me with a list of the personal data ITC holds for me	
b.	Please correct my details on ITC's system	
c.	Please delete my personal data from your system	
d.	Please provide my personal data in a spreadsheet	

### Section 2

Please provide us with your details to allow us to find you on the system and enable us to respond to your request promptly

<b>e. Your Name</b>	
<b>f. Date of Birth</b>	
<b>g. Address</b>	
<b>h. Post Code</b>	
<b>i. Email Address</b>	

### Section 3

Please tell us how you would like to verify your identification. You may forward a photocopy or scan of your identification document/s.

<b>j. Passport</b>	
<b>k. Driving License</b>	
<b>l. Other (please state)</b>	

**Data Processing Notice**

ITC First collect and process your personal data in order to produce qualification certificates and monitor the data to ensure we meet our equality and diversity and access to learning obligations. Failure to provide your data can result in your qualification certificate not being issued. Your personal data will not be passed to any other external third party. Your data will be held for 5 years from the date on your certificate after which point your data is destroyed or anonymised. You have rights associated with personal data which can be found on the [ICO website](#). You may withdraw your consent for ITC First to securely store your data at any time within the 5 year period. If this request is for erasure of your data then this request will be destroyed upon confirmation of the erasure.

**Please sign to indicate you understand the information above**

<b>Signature</b>		<b>Date</b>	
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