

Introduction

Fuel Learning Limited is committed to data security and the fair and transparent processing of personal data. This policy sets out how members of Fuel Learning Limited treat learner personal data.

Please read this policy carefully as it contains important information on who we are, how and why we collect, store, use and share your personal data, your rights in relation to your personal data, how to contact us, and how to contact supervisory authorities in the event that you would like to report a concern about the way in which we process your personal data.

Who are we?

For the purposes of the UK General Data Protection Regulation (UK GDPR), Fuel Learning Limited is the 'Data Controller' of learner personal data, except where we are acting as a processor for the Education and Skills Funding Agency. Our registered address is Stables End Court, Main Street, Market Bosworth, CV13 0JN.

Fuel Learning Limited provide qualifications, training, assessment and certification products and services in relation to leadership and management programmes.

If you have any queries about this policy, the way in which we process personal data, or about exercising any of your rights, you may contact our Privacy Representative by sending an email to gdpr@fuellearning.com or writing to Privacy Officer, Fuel Learning Limited, Stables End Court, Main Street, Market Bosworth, CV13 0JN.

What personal data do we collect?

If you are participating in a 'funded' programme of learning, we need to collect personal information (as determined by the Education and Skills Funding Agency) in order to ensure you are eligible to receive funding. This information includes, but is not limited to, your name; address; gender; date of birth; NI number; ethnicity; employment details; previous education history; nationality; residency status and details of any learning difficulties or disabilities.

Some of this data may be provided to us by your employer, awarding organisations, or other bodies you may have registered with previously to receive learning.

We may also collect other categories of personal data if required in relation to a specific qualification or programme if required to carry out our quality assurance processes, investigations, complaints and appeals.

How do we use your personal data?

We may use your personal data where this is necessary to pursue our legitimate interests as a provider of training, assessment, and certification products and/or services, including to:

- provide you with products and/or services for which you have registered.
- undertake administration in relation to products and/or services for which you have registered.
- provide you with a certificate, credential or other record of learning.
- contact you directly in relation to our quality assurance processes, investigations, appeals, and complaints.
- contact you directly in relation to new and existing products, services, news, awards and events which are relevant to you.
- assess and provide reasonable adjustments in relation to your learning or assessment where requested.

We may also process your personal data if required by law, including to respond 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 may share your personal data with relevant third parties, where necessary, in relation to your learning, assessment, or certification, including:

- regulatory authorities, sector skills councils, professional bodies, and similar industry bodies.
- consortiums, authorised representatives, and partners.
- for 'funded' programmes of learning, the Education and Skills Funding Agency (ESFA), an executive agency of the Department for Education (DfE), and the Learning Records Service (LRS). You will be provided with their privacy notices during enrolment for your programme.

We may also share your personal data with third party providers including:

- legal and other professional advisers, consultants, and professional experts.
- service providers contracted to us in connection with provision of learning, assessment, and training products and services such as markers, moderators, assessors, certification or credential providers, IT services and customer relationship management services; and
- we will ensure there is a contract in place with such third parties which includes obligations in relation to the confidentiality, security, and lawful processing of any personal data shared with them.

Where a third-party recipient is located outside the European Economic Area, we will ensure that the transfer of personal data is protected by appropriate safeguards, including the use of model data protection clauses adopted or approved by the relevant authority where the data protection authority does not believe that the country has adequate data protection laws.

We take all reasonable steps to ensure that our staff protect your personal data and are aware of their information security obligations. We limit access to your personal data to those who have a genuine business need to know it.

We may also share personal data with law enforcement or other authorities if required by applicable law.

How long will we keep your personal data?

We will retain personal data relating to your learning, assessment, and certification to enable us to provide information about your learning or a replacement certificate.

We will retain personal data relating to our quality assurance processes, appeals, or investigations for a period of 7 years to ensure we are able to comply with any contractual, legal, audit and other regulatory requirements, or any orders from competent courts or authorities.

Where do we store your personal data and how is it protected?

We take reasonable steps to protect your personal data from loss or destruction. We also have procedures 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.

Your rights

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

Right to access

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. Please include with your request information that will enable us to verify your identity. We will respond within 1 month of request. 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 such information, if there is no basis for your request, or if it is excessive.

Right to rectification

We aim to keep your personal data accurate and complete. We encourage you to contact us using the contact details provided below 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.

Right to erasure

You have the right to request the deletion of your personal data where, for example, the personal data is no longer necessary for the purposes for which it was collected, where you withdraw your consent to processing, where there is no overriding legitimate interest for us to continue to process your personal data, or your personal data has been unlawfully processed. If you would like to request that your personal data is erased, please contact us using the contact details provided below.

Right to object

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, or if your data is being processed for direct marketing purposes. If you would like to object to the processing of your personal data, please contact us using the contact details provided below.

Right to restrict processing

In certain circumstances, you have the right to request that we restrict the further processing of your personal data. This right arises where, for example, you have queried the accuracy of the personal data we hold about you and we are verifying the information, 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. Please contact us using the contact details provided below.

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. This right arises where you have provided your personal data to us, the processing is based on consent or the performance of a contract, and processing is carried out by automated means. If you would like to make such a request, please contact us using the contact details provided below.

Please note that the 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

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Complaints

If you believe that your data protection rights may have been breached, and we have been unable to resolve your concern in align with our complaints policy, then you may lodge a complaint with the applicable supervisory authority or seek a remedy through the courts. Please visit <https://ico.org.uk/concerns/> for more information on how to report a concern to the UK Information Commissioner's Office.

Changes to our Policy

Any changes we may make to our policy in the future will be posted on our website <https://fuellearning.com/fuel-learning-and-your-data/> and where appropriate, notified to you by email. Please check back frequently to see any updates or changes to our Policy.