



## PRIVACY NOTICE FOR CUSTOMERS

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In accordance with the General Data Protection Regulation (GDPR), we have implemented this privacy notice to inform you of the types of data we process about you. We also include within this notice the reasons for processing your data, the lawful basis that permits us to process it, how long we keep your data for and your rights regarding your data.

### A) DATA PROTECTION PRINCIPLES

Under GDPR, all personal data obtained and held by us must be processed according to a set of core principles. In accordance with these principles, we will ensure that:

- a) processing is fair, lawful and transparent
- b) data is collected for specific, explicit, and legitimate purposes
- c) data collected is adequate, relevant and limited to what is necessary for the purposes of processing
- d) data is kept accurate and up to date. Data which is found to be inaccurate will be rectified or erased without delay
- e) data is not kept for longer than is necessary for its given purpose
- f) data is processed in a manner that ensures appropriate security of personal data including protection against unauthorised or unlawful processing, accidental loss, destruction or damage by using appropriate technical or organisation measures
- g) we comply with the relevant GDPR procedures for international transferring of personal data

### B) TYPES OF DATA HELD

We keep several categories of personal data about you in order to carry out effective and efficient processes. We keep this data in a file relating to each customer and we also hold the data within our computer systems.

Specifically, we may hold the following types of data:

- a) personal details such as name, address, phone numbers
- b) your photograph
- c) your gender
- d) marital status
- e) bank account details
- f) payment rates
- g) CCTV footage
- h) building access card records

### C) COLLECTING YOUR DATA

You provide several pieces of data to us directly as part of any service agreement, for example your name and address.

In some cases, we will collect data about you from third parties.

Personal data is kept in files or within the Company's IT systems.

### D) LAWFUL BASIS FOR PROCESSING

The law on data protection allows us to process your data for certain reasons only. In the main, we process your data in order to comply with a legal requirement, in order to perform the contract we have with you or in pursuit of our legitimate interests.

The information below categorises the types of data processing we undertake and the lawful basis we rely on.

Activity requiring your data	Lawful basis
Carry out the contract that we have entered into with you e.g. using your name, contact details	Performance of the contract
Recording your payments	Performance of the contract
Making decisions about who to enter into a contract with	Our legitimate interests
Business planning and restructuring exercises	Our legitimate interests
Dealing with legal claims made against us	Our legitimate interests
Preventing fraud	Our legitimate interests
Ensuring our administrative and IT systems are secure and robust against unauthorised access	Our legitimate interests

### E) SPECIAL CATEGORIES OF DATA

Special categories of data are data relating to your:

- a) health
- b) sex/gender
- c) sexual orientation
- d) race
- e) ethnic origin
- f) political opinion
- g) religion
- h) trade union membership
- i) genetic and biometric data.

Most commonly, we will process special categories of data when the following applies:

- a) you have given explicit consent to the processing
- b) we must process the data in order to carry out our legal obligations
- c) we must process data for reasons of substantial public interest
- d) you have already made the data public.

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations. However, we may ask for your consent to allow us to process certain particularly

sensitive data. If this occurs, you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withdrawn.

#### **F) FAILURE TO PROVIDE DATA**

Your failure to provide us with data may mean that we are unable to fulfil our requirements for entering into a contract with you or performing the contract that we have entered into.

#### **G) CRIMINAL CONVICTION DATA**

We will only collect criminal conviction data where it is appropriate given the nature of the services we may be providing to you and where the law permits us. This data will usually be collected during enrolment, however, may also be collected during your engagement. We use criminal conviction data to determine your suitability, or your continued suitability for the engagement. We rely on the lawful basis of our legitimate interests to process this data.

#### **H) WHO WE SHARE YOUR DATA WITH**

Employees within our company will have access to your data which is relevant to their function. All employees with such responsibility have been trained in ensuring data is processed in line with GDPR.

Data is shared with third parties for the following reasons: for the administration of our services, and in order to satisfy company contractual requirements.

We may also share your data with third parties as part of a F2L sale or restructure, or for other reasons to comply with a legal obligation upon us. We have a data processing agreement in place with such third parties to ensure data is not compromised. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

In cases where we share your data with bodies outside of the European Economic Area, we do so in line with GDPR.

#### **I) PROTECTING YOUR DATA**

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against such.

#### **J) RETENTION PERIODS**

We only keep your data for as long as we need it for, which will be at least for the duration of your engagement with us. For relevant customers, data may be retained for up to 10 years in order to satisfy our contractual obligations relating to external auditing.

#### **K) AUTOMATED DECISION MAKING**

Automated decision making means making decision about you using no human involvement e.g. using computerised filtering equipment. No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

#### **L) DATA SUBJECT RIGHTS**

You have the following rights in relation to the personal data we hold on you:

- a) the right to be informed about the data we hold on you and what we do with it
- b) the right of access to the data we hold on you. More information on this can be found in our separate policy on Subject Access Requests
- c) the right for any inaccuracies in the data we hold on you, however they come to light, to be corrected. This is also known as 'rectification'
- d) the right to have data deleted in certain circumstances. This is also known as 'erasure'
- e) the right to restrict the processing of the data
- f) the right to transfer the data we hold on you to another party. This is also known as 'portability'
- g) the right to object to the inclusion of any information
- h) the right to regulate any automated decision-making and profiling of personal data.

More information can be found on each of these rights in our separate policy on your rights in relation to your data.

#### **M) CONSENT**

Where you have provided consent to our use of your data, you also have the right to withdraw that consent at any time. This means that we will stop processing your data.

#### **N) MAKING A COMPLAINT**

If you think your data rights have been breached, you are able to raise a complaint with the Information Commissioner (ICO). You can contact the ICO at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or by telephone on 0303 123 1113 (local rate) or 01625 545 745.

#### **O) DATA PROTECTION COMPLIANCE**

Free To Learn Data Protection Officer is:

Ori Lamm  
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07961 068763